

Mr. CULBERSON. Mr. President, the Senate has been in session since 11 o'clock, and it is now practically 5 o'clock. It seems to me we ought to adjourn.

Mr. WARREN. Does the Senator think we can shorten up the speeches to-morrow enough to make up for the time we may lose to-night?

Mr. CULBERSON. I suggest to the Senator from Wyoming that it is time to adjourn, as we have been in session for six hours.

Mr. WARREN. Mr. President, on that statement, understanding that the Senator is going to assist me in vigorous work to-morrow to finish the bill—for it will be Saturday, and I should very much like to finish it—I will move that the Senate adjourn.

Mr. SMOOT. I ask the Senator to withhold the motion for a moment.

Mr. WARREN. Certainly.

HOURLY OF MEETING TO-MORROW.

Mr. SMOOT. I move that when the Senate adjourns to-day it be to meet to-morrow morning at 11 o'clock.

The motion was agreed to.

THE PANAMA CANAL.

Mr. SMITH of South Carolina. Mr. President, I desire to give notice that to-morrow, immediately after the conclusion of the routine morning business, I shall submit some remarks on the Panama Canal bill. I desire to give this notice now, instead of going on with my speech this afternoon.

Mr. WARREN. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Saturday, July 20, 1912, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

FRIDAY, July 19, 1912.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

"Bless the Lord, O my soul; and all that is within me, bless His holy name. Bless the Lord, O my soul, and forget not all His benefits." It is He that hath made us and not we ourselves; we are His people and the sheep of His pasture. Without Him we can do nothing; with Him we may accomplish all things. Fill our hearts with brotherly love that we may enter into the work of this day with malice toward none and charity for all, doing whatsoever our hands findeth to do with might, leaving the results with Thee. For Thine is the kingdom and the power and the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

Mr. POUL. Mr. Speaker—

Mr. SIMS. Mr. Speaker—

The SPEAKER. The gentleman from Tennessee [Mr. Sims] is recognized.

TRANSPORTATION OF PRIZE-FIGHT PICTURES.

Mr. SIMS. Mr. Speaker, I wish to call from the Speaker's table the bill S. 7027, an act to prohibit the interstate transportation of pictures of prize fights, and for other purposes. The Committee on Interstate and Foreign Commerce having reported a similar bill, I am authorized by that committee to make this motion. I ask that it be laid before the House.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 7027) to prohibit the interstate transportation of pictures of prize fights, and for other purposes.

Be it enacted, etc., That it shall be unlawful for any person to deposit or cause to be deposited in the United States mails for mailing or delivery, or to deposit or cause to be deposited with any express company or other common carrier for carriage, from one State or Territory or the United States or the District of Columbia to any other State or Territory of the United States or the District of Columbia, or to bring or to cause to be brought into the United States from abroad, any film or other pictorial representation of any prize fight or encounter of pugilists, under whatever name, which is designed to be used or may be used for purposes of public exhibition, or any record or account of betting on the same.

Sec. 2. That it shall be unlawful for any person to take or receive from the mails, or any express company or other common carrier, with intent to sell, distribute, circulate, or exhibit any matter or thing herein forbidden to be deposited for mailing, delivery, or carriage in interstate commerce.

Sec. 3. That any person violating any of the provisions of this act shall for each offense, upon conviction thereof, be fined not more than \$1,000 or sentenced to imprisonment at hard labor for not more than one year, or both, at the discretion of the court.

The SPEAKER. The question is on the third reading of the Senate bill.

Mr. MANN. Mr. Speaker, this bill has never been considered in the House at all. I think it is due to the House to know what it provides for.

Mr. SIMS. I am perfectly willing to explain it.

Mr. MANN. Are you going to have any amendments to it?

Mr. SIMS. No; it is a Senate bill.

Mr. MANN. But it is subject to amendment.

Mr. SIMS. Mr. Speaker, this bill in all respects is similar to one that has been reported in the House, with the exception of the punishment provided, and which was introduced by the gentleman from Georgia and reported by the Committee on Interstate and Foreign Commerce of the House and is now on the calendar. The House bill was introduced by the gentleman from Georgia [Mr. RODDENBERRY]; and as he is thoroughly familiar with the bill on the same subject, and the Senate bill being identical with it, I will yield to the gentleman from Georgia [Mr. RODDENBERRY] such time as he may want in which to explain the bill to the House.

The SPEAKER. The gentleman from Georgia [Mr. RODDENBERRY] is recognized for such time as he desires, not exceeding an hour.

Mr. SIMS. How much time does the gentleman want?

Mr. RODDENBERRY. Five minutes.

The SPEAKER. The gentleman from Georgia [Mr. RODDENBERRY] is recognized for five minutes.

Mr. RODDENBERRY. Mr. Speaker, I was not giving attention to the remarks of the gentleman from Tennessee [Mr. Sims], but I gather at this moment that the bill S. 7027 is up for consideration. It is a Senate bill, the House having reported a similar bill from the Committee on Interstate and Foreign Commerce, which bill, in its material points, was introduced by me some time ago. This legislation is similar to Federal legislation covering kindred questions. I presume the House is thoroughly familiar with the purpose and object of the bill. It is to prevent the transportation in interstate commerce of films and pictorial representations of prize fights—the type of fights which have been outlawed by nearly all the States of the Union, as lotteries had been outlawed by the several States before like Federal legislation was enacted touching the transportation through interstate commerce of tickets, lottery advertisements, and other gambling schemes.

I will state that the bill, with the slightest deviation, follows existing legislation now on the statutes touching interstate transportation and transmission, both through these channels and the Post Office Department, of such matter as is demoralizing and objectionable.

This bill does not go so far as to prevent newspaper accounts and reports of these contests, however much some Members might be disposed to let it go that far. Now, to illustrate, the situation, which may not have been brought to the attention of some Members, is that when the Congress exercised supervision over the Territories of Arizona and New Mexico it prevented these contests under their Territorial government, but they now having been admitted to the Union there is no statute in the State of New Mexico restrictive or prohibitive of these brutal combats, notwithstanding the fact that the other States have prohibited them. It is therefore within the power of one of our States to permit these inhuman and uncivilized contests, and, consequent thereon, that they be disseminated in moving-picture shows and other exhibitions throughout the entire country.

One word further: There is one question that gentlemen might raise, and that is that the authorities in the several States, counties, and municipalities can, by prohibitive legislation, prevent the display of these pictures and thus the result be accomplished. Theoretically that is true. But the same would be true of the transmission in the mails and the carriage in commerce of lottery tickets, of gold-brick schemes, of devices for the prevention of conception, and other things that Congress has taken cognizance of under its postal and commerce powers. And so the House in passing the Senate bill does nothing in this regard than to apply similar legislation to the transportation of prize-fight films, prize-fight pictures, and these contests, as has been applied to other objectionable institutions and items that otherwise could be transmitted by express, by mail, and through other means of commerce.

I would be glad to yield to a Member for any question on the measure, but this is all I desire to submit.

Mr. MANN. Will the gentleman yield for a question?

Mr. RODDENBERRY. Yes.

Mr. MANN. Under the terms of this bill would there be any difficulty in persons manufacturing films sending a man along the route and leaving them at such places as were desired? Films are not bulky.

Mr. RODDENBERY. I will state to the gentleman that there is nothing in this bill that covers the point made by the gentleman from Illinois.

Mr. MANN. Ought it not to be covered? Would it not be very easy to get around this bill by simply having a man go along to the railroad stations and leave these films?

Mr. RODDENBERY. It would, and my personal opinion is, although I am not a member of the Committee on Interstate and Foreign Commerce, that such an amendment would strengthen the bill. I will say this to the gentleman from Illinois, that if it does not impair its consideration by the Senate, I think it would be very opportune to so amend it. However, if such an amendment should not be adopted, the bill would not be without the most salutary results, for many reasons, one of which in particular I will undertake to state.

Mr. MANN. I do not think such an amendment would impair the prospects of the bill passing at all. I have not the amendment here now, but I did suggest to the gentleman from Georgia the other day that if he had an amendment that would cover it in a few words I would approve of it.

Mr. RODDENBERY. I had the good fortune to see the gentleman's amendment on another occasion, and I have no objection to accepting it.

Mr. MANN. I have not the amendment here, and I thought perhaps the gentleman from Georgia had it among his papers.

Mr. RODDENBERY. No; I have not. But if the amendment referred to is not adopted the present bill would still be salutary and effective. It is well known that one of the chief inducements and incentives to these prize fights now is the sale of the films under contracts, and the fact they could not be transmitted in commerce and through the mails would so depreciate that aspect of the prize-fight business that the bill would be very vital in its wholesome effects. I should be glad to have the bill most effective for accomplishment of its purpose and would favor the amendment suggested.

I call the attention of the House to the fact that the recent prize fight which was had in New Mexico presented, perhaps, the grossest instance of base fraud and bogus effort at a fair fight between a Caucasian brute and an African biped beast that has ever taken place. It was repulsive. This bill is designed to prevent the display to morbid-minded adults and susceptible youth all over the country of representations of such a disgusting exhibition.

Mr. SHARP. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Georgia yield to the gentleman from Ohio?

Mr. RODDENBERY. I do.

Mr. SHARP. I wish to ask the gentleman if he thinks it more indefensible for a white man and a black man to engage in a prize fight than for two white men to engage in such a conflict?

Mr. RODDENBERY. The act as a matter of moral conduct is the same. It differs in degree. No man descended from the old Saxon race can look upon that kind of a contest without abhorrence and disgust.

Mr. SIMS. Mr. Speaker, the gentleman from Georgia has fully explained the bill. The object of it is to prevent demoralizing pictures from being exhibited all over the country—pictures which do not do any good, and might do much harm.

I desire to ask if the gentleman from Illinois [Mr. MANN] wishes to consume any time?

Mr. MANN. I would like to have some time.

Mr. SIMS. How much time does the gentleman wish?

Mr. MANN. Five minutes.

Mr. SIMS. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MANN].

The SPEAKER. The gentleman from Illinois [Mr. MANN] is recognized for five minutes.

Mr. MANN. Mr. Speaker, I am quite in accord with the desire to prevent the transportation of films or any other matter relating to prize fights.

However, I would like to ask the gentleman in reference to another part of the bill. The bill first makes it unlawful to transport from one State to another these films and other pictorial representations, and then it provides—

Or to bring or cause to be brought into the United States from abroad any film or other pictorial representation of any prize fight or encounter of pugilists, under whatever name, which is designed to be used or may be used for purposes of public exhibition, or any record or account of betting on the same.

Mr. SIMS. Is the gentleman reading the original bill, or the bill as amended, or the Senate bill as introduced?

Mr. MANN. I asked for a copy of the bill, and I received a copy of it as amended, probably. How does it provide now,

under the language that I have read, if it still remains in the bill in that way?

Mr. SIMS. As reported by the House, it reads as follows:

SECTION 1. It shall be unlawful for any person to deposit or cause to be deposited in the United States mails for mailing or delivery, or to deposit or cause to be deposited with any express company or other common carrier for carriage, from one State or Territory of the United States or the District of Columbia, to any other State or Territory of the United States or the District of Columbia, or to bring or cause to be brought into the United States from abroad, any film or other pictorial representation of any prize fight or encounter of pugilists, under whatever name, which is designed to be used or may be used for purposes of public exhibition, or any record or account of betting on the same.

SEC. 2. It shall be unlawful for any person to take or receive from the mails, or any express company or other common carrier, with intent to sell, distribute, circulate, or exhibit, any matter or thing herein forbidden to be deposited for mailing, delivery, or carriage in interstate commerce.

SEC. 3. And person violating any of the provisions of this act may be proceeded against by indictment and tried and punished, either in the district in which the unlawful matter was deposited for mailing or carriage, or to which it is carried, or in which it is delivered; and any person violating any of the provisions of this act shall for each and every offense, upon conviction thereof, be fined not more than \$1,000 or sentenced to imprisonment at hard labor for not more than one year, or both, at the discretion of the court.

Mr. BUTLER. Where is that bill?

Mr. MANN. I ask to have the bill reported again, Mr. Speaker. It is only a short bill.

The SPEAKER. The Clerk will report the bill again, without objection.

There was no objection.

The bill was again read.

Mr. MANN. Mr. Speaker, I examined this bill when it came over, and the House bill. A moment ago I received a copy of the Senate bill as introduced in the Senate. The question I was going to raise was eliminated by the action of the Senate. I hope the bill may pass.

The SPEAKER. The question is on the third reading of the Senate bill.

Mr. MURRAY rose.

Mr. SIMS. Does the gentleman from Massachusetts want any time?

Mr. MURRAY. I do.

Mr. SIMS. Then, Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. MURRAY].

The SPEAKER. The gentleman from Massachusetts [Mr. MURRAY] is recognized for five minutes.

Mr. MURRAY. Mr. Speaker, I had hoped that the gentleman from Tennessee [Mr. Sims], while this matter was being considered, might refer to the consideration of the bill that we had on the 1st day of July, as outlined in the CONGRESSIONAL RECORD at page 8551. Some of the Members of the House may remember that on that day the gentleman from Tennessee [Mr. Sims] sought to have the bill taken from the Speaker's table, as has been done at this time, in order to put this bill through quite speedily. I had received on that day a telegram from a resident of the congressional district that I represent inquiring about the status of this legislation, and I had gone to the gentleman from Georgia [Mr. RODDENBERY] with a request for information in order that I might reply to the request of a constituent whom I represent here. I had hoped on that occasion that there might be a long enough delay in the consideration of the matter so that I might advise my constituent about the course of the legislation.

I was very sorry that I could not convince the gentleman from Tennessee [Mr. Sims] that that was a proper and reasonable request, and that he insisted upon the consideration of the measure at that time. As he did so, I had to make use of the only parliamentary weapon that was available to me, namely, to suggest to the Speaker pro tempore [Mr. ALEXANDER] the absence of a quorum, which I did. I was very sorry to read in the CONGRESSIONAL RECORD the next morning a remark attributed to the gentleman from Tennessee [Mr. Sims], as follows:

Mr. Speaker, I desire to call up a bill on the Speaker's table, to prevent the shipping through the mails and in interstate commerce of moving-picture films of prize fights, especially the one between a negro and a white man to be held in New Mexico on the 4th of July next, and the point of order is made by the gentleman from Massachusetts [Mr. MURRAY] to defeat the present consideration of that bill, as it will be too late to get it passed before that date if not considered now.

Mr. Speaker, I am very sorry, I say, that the gentleman from Tennessee [Mr. Sims], in the course of this discussion to-day, has not seen fit to set the RECORD right and to assure the Members of the House of what he now knows to be true, if he did not know it at the time that he made that remark—that my sole purpose in suggesting the absence of a quorum on the 1st of July was not to defeat the present consideration of this

legislation, nor in order to postpone the consideration of it, except so long as it might be necessary to do in order for me to get a reply to a reasonable request for information from one whom I was trying here to represent.

I have no opposition to offer to this legislation. I do not know that it is altogether necessary. I do know that in my own Commonwealth of Massachusetts, and in the city of Boston, from which I come, we are able under our local laws, under our statutes, and our municipal ordinances to regulate such things as moving pictures of prize-fight exhibitions.

We do not need to occupy the time of the National Congress to regulate such matters, and I doubt very much whether there is any State in this Union that needs to have the time of this Congress taken up in the regulation of its internal affairs. I wonder what it is that causes men from the Southland, who in this Hall have always insisted upon the doctrine of State rights, to arise and urge with such great seriousness that legislation of this kind be passed? I do not believe it is necessary for the National Government to invade the States of the Union and tell them what they shall and shall not do in this situation; and I suggest to Members that we might in these days be giving our attention to problems of much more concern to the American people than this one, rather than to allow men here to demagogue along certain lines. [Applause.]

Mr. SIMS. Mr. Speaker, I wish to say in respect to what the gentleman from Massachusetts [Mr. MURRAY] has said, that I am confident he has stated the facts just as they were. I do not now remember just what happened at the time. I knew that if the bill was not considered at that time it could not possibly become a law before the 4th of July, which was the time set for this contest in New Mexico. I want to state further that I was being bombarded by letters and telegrams requesting me to get the matter acted on, which accounted for my anxiety at the time. I did not want to misrepresent the gentleman, and if anything I said did misrepresent him, I am exceedingly glad to correct it. I have nothing to suggest, except this, that the gentleman from Massachusetts has never had charge of a piece of legislation like this, when letters and telegrams come in floods from every direction. He does not know, perhaps, just how a man feels under such circumstances. What I did was at the direction of the Committee on Interstate and Foreign Commerce, and I felt even a greater responsibility than I would have felt if I had been acting on my own account.

Mr. BATHRICK. Will the gentleman yield?

Mr. SIMS. I do.

Mr. BATHRICK. I desire to know if in the bill, as reported from the Senate, in lines 9 and 10, the words "or any record or account of the same" were included?

Mr. SIMS. The Senate bill is on the Speaker's table and has been read twice. I have no copy of it here, but my recollection is that those words are contained in it.

Mr. BATHRICK. I request that information from the Clerk.

Mr. MANN. A moment ago, when the Clerk read it, I was comparing it with the bill I had in my hand, and I thought the words were not in the Senate bill; but I have just examined the Senate bill, and they are there. I think they ought to be stricken out.

Mr. BATHRICK. Mr. Speaker, a point of order.

Mr. SIMS. I do not want to yield the floor, Mr. Speaker. How much time have I left?

The SPEAKER. The gentleman has used 25 minutes, and has 35 minutes left.

Mr. BATHRICK. Mr. Speaker, I desire to know if amendments are in order.

The SPEAKER. If anybody can get the floor, he can offer amendments.

Mr. SIMS. The only reason I personally object to this amendment is that, with the great amount of privileged business of the greatest importance that is before the Senate, I doubt very much whether an amendment can be considered in the Senate. I suppose the gentleman has reference to the mere reporting of bets as a news item.

Mr. BATHRICK. That is what I have reference to, and I consider it vicious. A newspaper man, in the performance of his ordinary work of news gathering, if these words are permitted to remain in the bill, can be arrested and receive all of the penalties prescribed in the bill for those who distribute the prize-fight films.

The SPEAKER. Does the gentleman yield to the gentleman from Ohio?

Mr. SIMS. Not for the purpose of offering an amendment.

The SPEAKER. For the purpose of making remarks?

Mr. SIMS. Yes. How much time does the gentleman want?

Mr. BATHRICK. I only want about two minutes.

Mr. SIMS. I yield to the gentleman for two minutes.

Mr. BATHRICK. Mr. Speaker, in lines 9 and 10 of this bill are these words:

Or any record or account of betting on the same.

I am entirely in accord with the moral purpose of preventing the dissemination of immoral literature or films exhibited for the purpose of making money on prize fights, but I protest against a bill which will permit the full penalty which is prescribed for an infraction of this law, if it pass, being inflicted on a newspaper man who transmits accounts by mail or otherwise of bets on a prize fight in a State where that prize fight is entirely legal under the laws of that State. And I desire to offer an amendment striking out of lines 9 and 10 the words "or any record or account of betting on the same."

The SPEAKER. The gentleman does not yield for the purpose of offering an amendment.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. SIMS. How much time does the gentleman want?

Mr. MANN. Five minutes.

Mr. SIMS. I yield to the gentleman from Illinois five minutes.

Mr. MANN. Mr. Speaker, when the gentleman yielded to me before the Clerk had read the bill I thought this language was not in the bill as the Clerk read it. However, I was mistaken. The words "or any record or account of betting on the same" are in the bill. The bill, which is a Senate bill, makes it unlawful to bring into the country, or to cause to be brought into the country, any record or account of betting on a prize fight, and then makes it unlawful for any purpose to take or receive from the mails any matter which is covered by section 1, which would be the importation or bringing into the country of a record of betting on a prize fight, and makes that a fineable offense; so that under the terms of the bill, unless amended, any person who receives a foreign newspaper which contains any record of a prize fight, or any betting on a prize fight, and who takes it out of the mail is made subject to a penalty of not more than \$1,000 or imprisonment at hard labor for not more than one year.

Mr. FOSTER. Is that the amendment as passed by the Senate?

Mr. MANN. That bill was reported into the House by the committee and was passed in the Senate, and now the question is whether we will pass it and make it a law. The purpose of the bill is to prevent taking films—moving pictures—of prize fights and passing them from one State to another. It never was the purpose of the bill, or ought not to have been, to prevent a person taking out of the mails a Canadian newspaper or a London newspaper which contains some notice of a prize fight.

Mr. SIMS. The gentleman does not insist that this bill will prohibit a thing of that sort?

Mr. MANN. Why, absolutely.

Mr. SIMS. Just read it:

Which is designed to be used or may be used for purposes of public exhibition, or any record or account of betting on the same.

It must be the intention to publish the same.

Mr. MANN. It says:

Any film or other pictorial representation of any prize fight or encounter of pugilists, under whatever name, which is designed to be used or may be used for purposes of public exhibition, or any record or account of betting on the same.

The limitation about using it for purposes of public exhibition is a limitation on the films and not a limitation upon the other. That is as clear as can be. There is no use of leaving that in the bill. The gentleman ought to be willing to permit an amendment striking it out.

Section 2 of this bill is clearly unconstitutional unless the court shall construe it to mean that what it does not say. Section 2 of the bill covers intrastate commerce, when we have no power over anything except interstate commerce. I hope the gentleman will yield or will himself offer an amendment to strike out of the end of section 1 the words—

Or any record or account of betting on the same.

Mr. SIMS. Mr. Speaker, I can not see how the country is to be benefited by reading the records of bets upon prize fights in this country or in any other country; and if it does prevent such records being published, well and good. We are legislating for the whole country. I do not see that there is anything very wrong in prohibiting a newspaper in this country from publishing records of bets on prize fights, be they between white men or between colored men or between white and colored men.

Mr. MANN. Mr. Speaker, I quite agree with the gentleman in a bill to prohibit newspapers enjoying the second-class mail

privilege from being deposited in the mail when they contain any record of betting on prize fights or anything whatever about prize fights. But this bill makes it an offense to receive the paper. It could not make it an offense to mail a foreign paper from a foreign land, because we have no control over the mailing of it. It makes it an offense to take it out when it is addressed to one.

Mr. BUTLER. That is true, because section 2 begins with the language that it shall be unlawful to send or receive.

Mr. SIMS. I fail to catch that idea when the bill says it shall be designed to be used or may be used for purposes of public exhibition.

Mr. BUTLER. But that does not relate to subsequent statements.

Mr. SIMS. A man can not commit a crime unintentionally.

Mr. BUTLER. I understand; and I do not believe the gentleman intends to impose a penalty upon an innocent person, but why not make the bill plain? It is not intended to punish a man who innocently receives a newspaper which contains the account of a prize fight or the betting on a prize fight. Let me suggest to the gentleman to amend his bill so as to make it perfectly plain. We all want to vote for the bill.

Mr. SIMS. Its language is taken from existing laws with reference to other matters. I do not think there is any great danger of anybody going to prison wrongfully, or of even being prosecuted, and, as I say, I have no idea that if an amendment, however innocent or harmless it may be, is put upon this bill that it will receive consideration at the other end of the Capitol.

Mr. BUTLER. The purpose of the bill is to strike at transportation. Is there a law which prohibits the exhibition of prize-fight pictures in the District of Columbia and the Territories over which we have control?

Mr. SIMS. I do not remember now.

Mr. BUTLER. Is it not important to prevent the exhibition of these films in the District of Columbia, and not to try alone to prevent the transportation of them from State to State?

Mr. BATHRICK. Mr. Speaker, will the gentleman yield?

Mr. SIMS. Certainly.

Mr. BATHRICK. Does not the gentleman know that in the rush and hurry of getting out a daily newspaper, with the numerous employees, that they are liable to transgress this law, and that they will be repeatedly liable to the penalties prescribed therein if this bill is passed as it stands?

Mr. SIMS. Mr. Speaker, I will ask the gentleman from Illinois [Mr. MANN] what his amendment is; I know what the amendment of the gentleman from Ohio [Mr. BATHRICK] is.

Mr. MANN. The amendment is to strike out the words "or any record or account of betting on the same."

Mr. SIMS. They are both practically the same. Mr. Speaker, I do not want to pass a bill that is unenforceable or put in words which my friend from Illinois thinks will cause any trouble to his friends who publish a paper, or to my friend from Ohio or elsewhere, and I will move to amend the bill so as to strike out the words in line 2, page 2, "or any," and all of line 3.

Mr. MANN. That is at the end of section 1.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend Senate bill, page 2, by striking out, in lines 2 and 3, the words "or any record or account of betting on the same."

Mr. BUTLER. Will the gentleman allow me to ask him another question?

Mr. SIMS. Certainly.

Mr. BUTLER. I desire to ask if there is no law on the books prohibiting the exhibition of these films in the District of Columbia and the Territories over which we have control why not amend the bill now so that these exhibitions may be prohibited? Does not the gentleman think this is the proper time?

Mr. SIMS. That is another and entirely different subject.

Mr. BUTLER. It will be possible to obtain these films, although we may pass this law. It is the exhibition, I understand, we desire to prevent.

The SPEAKER. The question is on agreeing to the amendment to the Senate bill, which the gentleman from Tennessee has offered.

The question was taken, and the amendment was agreed to.

Mr. MANN. Mr. Speaker, I would ask the gentleman from Tennessee whether an amendment in the sixth line of the bill, after the word "carriage," would be acceptable, to insert the words "or to send or carry," so that it would read:

That it shall be unlawful for any person to deposit or cause to be deposited in the United States mails for mailing or delivery, or to deposit or cause to be deposited with any express company or any other common carrier for carriage, or to send or carry from one State or Territory of the United States, etc.

I want to add the words "or to send or carry."

Mr. SIMS. I have no objection to that amendment, since it is going to the Senate. I think it is a proper one.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend the bill by inserting, after the word "carriage," in line 6 of the Senate bill, the words "or to send or carry."

The question was taken, and the amendment was agreed to.

Mr. FOWLER. Mr. Speaker, I desire to ask the gentleman from Tennessee if this bill is broad enough to prohibit reports of prize fights between man and man, between man and animal, and between animals?

Mr. SIMS. It has nothing to do with prize fights between man and "animals" or between animals, if there are any such occurrences.

Mr. FOWLER. Mr. Speaker, I understand that the bill does have to do with prize fights.

Mr. SIMS. No; it has to do with films; pictures of prize fights.

Mr. FOWLER. I desire to know whether the language of the bill is not as follows: On page 1, beginning with line 8, it says:

Or other pictorial representation of any prize fight or encounter of pugilists under whatever name.

It does deal with reports of prize fights, and are these prize fights between men, or are they between animals and men, or between animals alone?

Mr. SIMS. Mr. Speaker, as I am not an expert on prize fights, I can not answer the gentleman from Illinois.

Mr. FOWLER. Well, Mr. Speaker, I know that any man or any set of men who engage in prize fights are nothing more than animals for the time being, but what I desire to know is if the language of the bill will be broad enough to include reports on prize fights of whatever character, whether prize fights between man and man, whether prize fights between man and animals, or fights between animals? I want to make the bill broad enough to include reports of bull fights. The transportation through the mails of pictorial films of such prize fights ought to be prohibited. "Bull fighting" is certainly demoralizing, as much so as prize fighting between pugilists; both ought to be prohibited.

Mr. SIMS. I yielded for a question, and not for a speech.

Mr. FOWLER. I am asking the gentleman—

Mr. SIMS. I will say to the gentleman I will not accept the amendment or agree to it. How much time have I remaining?

The SPEAKER. The gentleman has 20 minutes remaining.

Mr. SIMS. I could not accept an amendment.

Mr. FOWLER. I want to ask the gentleman once more, between what character of living beings is the report of prize fighting referred to in this bill intended to apply?

Mr. SIMS. I will leave to the gentleman to judge from the language of the bill what kind of beings it refers to.

Mr. FOWLER. Does the gentleman decline to answer?

Mr. SIMS. I am not an expert on that, and I can not give the information.

Mr. FOWLER. The bill is ambiguous in reference to that point.

Mr. SIMS. It may be to the gentleman from Illinois.

Mr. FOWLER. It is from the gentleman who has charge of the bill I am seeking information.

Mr. SIMS. And I am unable to give it.

Mr. BUTLER. Mr. Speaker, I do not intend to delay the passage of this measure. I am opposed with all the vigor that is in me to the exhibition of these prize-fight films to men, women, and children. Is it not possible to amend this bill so as to prevent their exhibition in the District of Columbia and the Territories, over which we have control, and if there is no law to prevent the exhibition of such films, let us make the law now. The injury comes in the exhibition of these films and not in their transportation.

Mr. SIMS. Mr. Speaker, I have agreed to two amendments, which I think are sufficient.

Mr. BUTLER. I do not wish to press it on the gentleman, but I believe that we should amend the bill so as to prevent the exhibitions.

The SPEAKER. The question is on agreeing to the amended Senate bill.

Mr. BUTLER. Mr. Speaker, will the gentleman yield to me to offer such an amendment?

Mr. SIMS. No, Mr. Speaker; I can not yield for any further amendments.

Mr. BUTLER. I know I am powerless in my effort for good.

The SPEAKER. The question is on agreeing to the amendment to the Senate bill.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on the third reading of the amended bill.

The bill was read a third time.

Mr. FOWLER. Mr. Speaker, I would like recognition for the purpose of offering an amendment to the bill.

The SPEAKER. The parliamentary situation is this: The gentleman from Tennessee [Mr. Sims] has an hour, and he can parcel out the time to suit himself or use the entire hour, and nobody can offer an amendment as long as the gentleman from Tennessee has the floor during that hour.

Mr. SIMS. Mr. Speaker, I ask for the previous question on the bill and all amendments.

Mr. FOWLER. Mr. Speaker, I desire, then, to make a further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FOWLER. Then is it possible in the American Congress that a man can call up a bill, utilize all the time, and prevent any other Member from offering an amendment to the bill?

The SPEAKER. The practice is that when a bill is called up like this that the man in charge of it has an hour. He can do as he pleases with that hour. Of course, within the rules he can move the previous question on it the first thing, or he can reserve the previous question until the last thing in the hour, and he can shut anybody out from offering an amendment during the hour. Now the gentleman from Tennessee [Mr. Sims] moves the previous question.

Mr. SIMS. Mr. Speaker, I move the previous question on the bill as amended to final passage.

Mr. FOWLER. Then under what stage can an amendment be offered to the bill?

The SPEAKER. If the previous question is ordered, it can never be offered. If the previous question is voted down, then, when the gentleman from Tennessee gets through with his hour and any other gentleman gets the floor, he can move any sort of an amendment he pleases.

Mr. SIMS. Mr. Speaker, I move the previous question.

The previous question was ordered.

Mr. FOWLER. Mr. Speaker, I desire to make a motion to recommit the bill, with the following amendment, which I send to the Clerk's desk, to the committee from which it came, with the following instructions—

The SPEAKER. It never came from any committee.

Mr. FOWLER. It came from the Senate and was not referred to any committee in the House. I desire, Mr. Speaker, to move to commit this bill to the Committee on Claims with the following instructions, which I have sent to the Clerk's desk.

Mr. RODDENBERRY. I make a point of order.

The SPEAKER. The gentleman from Georgia will state it.

Mr. RODDENBERRY. The point of order is that it is not in order to make a motion to recommit a Senate bill from the Committee on Commerce in the Senate, as a substitute for the House bill, to the Committee on Claims.

Mr. FOWLER. Mr. Speaker, I think that under the rules there can be only one motion to recommit.

The SPEAKER. The gentleman misstates his motion, but, of course that is a small matter. It is not a motion to recommit, but a motion to commit. The gentleman has a right to move to commit to any committee in the House.

Mr. FOWLER. I move to commit it, then, Mr. Speaker, to the Committee on Interstate and Foreign Commerce, with the instructions which I have sent to the Clerk's desk.

The SPEAKER. The Clerk will report the motion to commit.

The Clerk read as follows:

Commit the bill to the Committee on Interstate and Foreign Commerce with instructions to report it forthwith to the House with the following amendment:

On page 1, line 8, after the word "fight," by adding the following: "Whether between men, or between men and animals, or between animals."

The SPEAKER. The question is on the motion to commit.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. FOWLER. A division, Mr. Speaker.

The House divided; and there were—ayes 1, noes 45.

Mr. FOWLER. Mr. Speaker, I raise the point of order that there is no quorum present.

The SPEAKER. On this vote the yeas are 1 and the noes are 45, and the gentleman raises the point that there is no quorum present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those in favor of committing this bill to the Committee on Interstate and Foreign Commerce will, as their names are called, vote "yea," and those opposed will vote "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 5, noes 198, answered "present" 21, not voting 165, as follows:

YEAS—5.

Candler Fowler	Stephens, Miss.	Stephens, Nebr.	Stone
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NAYS—198.

Alken, S. C.	Dupré	James	Ransdell, La.
Alney	Edwards	Johnson, Ky.	Redfield
Alexander	Esch	Kendall	Rees
Allen	Estopinal	Kennedy	Reilly
Anderson, Minn.	Evans	Kent	Richardson
Anderson, Ohio	Faison	Kitchin	Roberts, Mass.
Ashbrook	Farr	Knowland	Robinson
Austin	Fergusson	Konop	Rodenbery
Barnhart	Fitzgerald	Korby	Rothermel
Bathrick	Francis	Lafferty	Rouse
Beall, Tex.	French	La Follette	Rubey
Bell, Ga.	Fuller	Lamb	Russell
Berger	Gallagher	Lever	Sabath
Booher	Garner	Lewis	Sells
Borland	George	Lindbergh	Sharp
Bowman	Godwin, N. C.	Linthicum	Sims
Brantley	Good	Littlepage	Sloan
Broussard	Goodwin, Ark.	Lloyd	Small
Buchanan	Gould	Lobeck	Smith, Saml. W.
Bulkeley	Gray	Longworth	Smith, Tex.
Burgess	Green, Iowa	McGillcuddy	Stanley
Burke, Wis.	Greene, Mass.	McKinley	Stedman
Burnett	Gregg, Pa.	McKinney	Steenerson
Byrns, Tenn.	Gregg, Tex.	McLaughlin	Stevens, Cal.
Cannon	Gudger	Madden	Stephens, Tex.
Catlin	Hamlin	Maguire, Nebr.	Sterling
Clark, Fla.	Hammond	Martin, Colo.	Sulloway
Claypool	Hanna	Matthews	Sulzer
Clayton	Hardy	Mays	Sweet
Cline	Harris	Mondell	Switzer
Connell	Harrison, Miss.	Morrison	Taylor, Colo.
Conry	Hartman	Murray	Taylor, Ohio
Cooper	Haugen	Neeley	Thayer
Copley	Hawley	Nye	Towner
Cox, Ind.	Hay	Oldfield	Townsend
Crago	Hayden	O'Shaunessy	Tribble
Cravens	Hayes	Padgett	Turnbull
Cullpo	Heald	Page	Tuttle
Curley	Helgesen	Patton, Pa.	Underhill
Curry	Henry, Tex.	Payne	Volstead
Dalzell	Hensley	Pepper	Watkins
Davenport	Hobson	Pickett	Webb
Davis, Minn.	Holland	Porter	Whitacre
Davis, W. Va.	Howard	Post	White
Dent	Howell	Pou	Willis
Dickinson	Howland	Prince	Wilson, Pa.
Dickson, Miss.	Hughes, N. J.	Prouty	Witherspoon
Dixon, Ind.	Hull	Rainey	
Doughton	Humphrey, Wash.	Raker	
Driscoll, D. A.	Jacoway		

ANSWERED "PRESENT"—21.

Blackmon	Gillett	Mann	Wood, N. J.
Browning	Hardwick	Needham	Woods, Iowa.
Butler	Houston	Sparkman	Young, Kans.
Dyer	Kahn	Stevens, Minn.	
Fields	McDermott	Thistlewood	
Foster	McMorran	Weeks	

NOT VOTING—165.

Adair	Driscoll, M. E.	Lafean	Randell, Tex.
Adamson	Dwight	Langham	Rauch
Akin, N. Y.	Ellerbe	Langley	Reyburn
Ames	Fairchild	Lee, Ga.	Riordan
Andrus	Ferris	Lee, Pa.	Roberts, Nev.
Ansberry	Finley	Legare	Rucker, Colo.
Anthony	Flood, Va.	Lenroot	Rucker, Mo.
Ayres	Floyd, Ark.	Levy	Saunders
Barefield	Focht	Lindsay	Scully
Bartholdt	Fordney	Littleton	Shackelford
Bartlett	Fornes	Loud	Sheppard
Bates	Foss	McCall	Sherley
Boehne	Gardner, Mass.	McCoy	Sherwood
Bradley	Gardner, N. J.	McCreary	Simmons
Brown	Garrett	McGuire, Okla.	Sisson
Burke, Pa.	Glass	McHenry	Slayden
Burke, S. Dak.	Goeke	McKellar	Slomp
Burleson	Goldfogle	McKenzie	Smith, J. M. C.
Byrnes, S. C.	Graham	Macon	Smith, Cal.
Calder	Griest	Maher	Smith, N. Y.
Callaway	Guernsey	Martin, S. Dak.	Speer
Campbell	Hamill	Miller	Stack
Cantrill	Hamilton, Mich.	Moon, Pa.	Taggart
Carlin	Hamilton, W. Va.	Moon, Tenn.	Talbot, Md.
Carter	Harrison, N. Y.	Moore, Pa.	Talcott, N. Y.
Cary	Hefflin	Moore, Tex.	Taylor, Ala.
Collier	Helm	Morgan	Thomas
Covington	Henry, Conn.	Morse, Wis.	Tilson
Cox, Ohio	Higgins	Moss, Ind.	Underwood
Crumpacker	Hill	Mott	Utter
Currier	Hinds	Murdock	Vare
Danforth	Hughes, Ga.	Nelson	Vreeland
Daugherty	Hughes, W. Va.	Norris	Warburton
Davidson	Humphreys, Miss.	Olmsted	Wedemeyer
De Forest	Jackson	Palmer	Wilder
Denver	Johnson, S. C.	Parran	Wilson, Ill.
Dies	Jones	Patten, N. Y.	Wilson, N. Y.
Difenderfer	Kindred	Peters	Young, Mich.
Dodds	Kinkaid, Nebr.	Plumley	Young, Tex.
Donohoe	Kinkaid, N. J.	Powers	
Doremus	Konig	Pray	
Draper	Kopp	Pujo	

So the motion to commit was rejected.

The Clerk announced the following pairs:

For the session:

Mr. SLAYDEN with Mr. TILSON.
Mr. BARTLETT with Mr. BUTLER.
Mr. UNDERWOOD with Mr. MANN.
Mr. ADAMSON with Mr. STEVENS of Minnesota.
Mr. GLASS with Mr. SLEMP.
Mr. RIORDAN with Mr. ANDRUS.
Mr. FARNES with Mr. BRADLEY.

Until further notice:

Mr. AYRES with Mr. AMES.
Mr. BURLESON with Mr. BARTHOLOLT.
Mr. BYRNES of South Carolina with Mr. BURKE of South Dakota.

Mr. COVINGTON with Mr. CRUMPACKER.
Mr. DAUGHERTY with Mr. DANFORTH.
Mr. DEFENDERFER with Mr. DE FOREST.
Mr. DONOHUE with Mr. DODDS.
Mr. DOREMUS with Mr. FAIRCHILD.
Mr. FLOYD of Arkansas with Mr. FOCHT.
Mr. GOEKE with Mr. FOSS.
Mr. GOLDFOGLE with Mr. HAMILTON of Michigan.
Mr. HAMILL with Mr. HUGHES of West Virginia.
Mr. HARRISON of New York with Mr. KINKAID of Nebraska.
Mr. HEFLIN with Mr. LAFFAN.
Mr. HELM with Mr. LANGHAM.
Mr. HUGHES of Georgia with Mr. MCGUIRE of Oklahoma.
Mr. HUMPHREYS of Mississippi with Mr. MCKENZIE.
Mr. JONES with Mr. MARTIN of South Dakota.
Mr. KINKAID of New Jersey with Mr. MOORE of Pennsylvania.
Mr. KONIG with Mr. MURDOCK.
Mr. LEE of Pennsylvania with Mr. POWERS.
Mr. MCKELLAR with Mr. PLUMLEY.
Mr. MAHER with Mr. PRAY.
Mr. MOORE of Texas with Mr. ROBERTS of Nevada.
Mr. MOSS of Indiana with Mr. J. M. C. SMITH.
Mr. RUCKER of Colorado with Mr. SPEER.
Mr. SAUNDERS with Mr. THISTLEWOOD.
Mr. SHACKLEFORD with Mr. UTTER.
Mr. SMITH of New York with Mr. VARE.
Mr. TAGGART with Mr. WEEKS.
Mr. WILSON of New York with Mr. WILDER.
Mr. COLLIER with Mr. WOODS of Iowa.
Mr. SHERWOOD with Mr. WOOD of New Jersey.
Mr. DENVER with Mr. YOUNG of Michigan.
Mr. RANDELL of Texas with Mr. SMITH of California.
Mr. THOMAS with Mr. VREELAND.

Mr. PALMER with Mr. HILL (with mutual privilege of transfer).

Mr. SPARKMAN with Mr. DAVIDSON.
Mr. KINDRED with Mr. GRIEST.
Mr. ADAIR with Mr. HINDS.
Mr. GARRETT with Mr. FORDNEY.
Mr. SHEPPARD with Mr. BATES.
Mr. CARTER with Mr. KAHN.
Mr. HARDWICK with Mr. CAMPBELL.
Mr. ANSBERRY with Mr. BURKE of Pennsylvania.
Mr. YOUNG of Texas with Mr. WILSON of Illinois.
Mr. PETERS with Mr. MCCALL.
Mr. CALLAWAY with Mr. MICHAEL E. DRISCOLL.
Mr. LITTLETON with Mr. DWIGHT.
Mr. JOHNSON of South Carolina with Mr. GILLET.
Mr. ELLERBE with Mr. CRAIG.
Mr. GRAHAM with Mr. FULLER.
Mr. LEGARE with Mr. LOUD.
Mr. PUJO with Mr. MCMORRAN.
Mr. CANTRILL with Mr. HANNA.
Mr. MCCOY with Mr. HIGGINS.
Mr. HOUSTON with Mr. MOON of Pennsylvania.
Mr. FLOOD of Virginia with Mr. DRAPER.
Mr. FOSTER with Mr. KOPP.
Mr. RUCKER of Missouri with Mr. DYER.
Mr. FERRIS with Mr. GUERNSEY.
Mr. DIES with Mr. GARDNER of New Jersey.
Mr. HAMILTON of West Virginia with Mr. HENRY of Connecticut.

Mr. TALBOTT of Maryland with Mr. PARRAN.
Mr. SCULLY with Mr. BROWNING.
Mr. SHERLEY with Mr. SIMMONS.
Mr. PATTEN of New York with Mr. REYBURN.
Mr. BOEHNE with Mr. CARY.
Mr. FIELDS with Mr. LANGLEY.
Mr. FINLEY with Mr. CURRIER.

Ending August 1:

Mr. Cox of Ohio with Mr. ANTHONY.

Ending July 25:

Mr. TALCOTT of New York with Mr. MOTT.

Balance of the day—July 19:

Mr. Sisson with Mr. YOUNG of Kansas.

The result of the vote was announced as above recorded.

The SPEAKER. The Doorkeeper will unlock the doors. The question is on agreeing to the amended Senate bill.

The question was taken, and the Senate bill as amended was passed.

The title of the bill was amended so as to read: "A bill to prohibit the importation and the interstate transportation of films or other pictorial representations of prize fights, and for other purposes."

On motion of Mr. SIMS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

By unanimous consent, at the request of Mr. SIMS, a similar House bill (H. R. 24962) to prohibit the interstate transportation of pictures of prize fights, and for other purposes, was laid on the table.

ADJOURNMENT OVER.

Mr. FITZGERALD. Mr. Speaker, I move that when the House adjourns to-day it adjourn to meet on Monday next.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] moves that when the House adjourns to-day it adjourn to meet Monday next at noon. The question is on agreeing to that motion.

The motion was agreed to.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. DAVENPORT, for 15 days, on account of important business.

To Mr. BLACKMON, for 1 day, on account of illness in his family.

To Mr. CLARK of Florida, indefinitely, on account of sickness in his family.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to bills of the following titles:

S. 3815. An act to amend an act entitled "An act to require apparatus and operators for radio communication on certain ocean steamers," approved June 24, 1910; and

S. 4948. An act to amend an act approved May 27, 1908, entitled "An act for the removal of restrictions from part of the lands of allottees of the Five Civilized Tribes, and for other purposes."

The message also announced that the Senate had passed with amendment bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 11628. An act authorizing John T. McCrosson and associates to construct an irrigation ditch on the island of Hawaii, Territory of Hawaii.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 6596. An act to provide for the purchase of a site and the erection of a public building thereon in the town of Fort Fairfield, in the State of Maine; and

S. 7130. An act to provide for the establishment of an immigration station at Hampton Roads, in the State of Virginia, and the erection of a public building on a site to be selected for said station.

The message also announced that the President pro tempore had appointed Mr. SHIVELY in place of Mr. GORE as one of the conferees on the bill (S. 4568) granting an increase of pension to Annie R. Schley.

The message also announced that the Senate had passed the following resolution (H. Res. 634):

Resolved, That the Secretary be directed to furnish to the House of Representatives, in compliance with its request, a duplicate engrossed copy of the bill (S. 2748) for the relief of Clara Dougherty, Ernest Kubel, and Josephine Taylor, owners of lot No. 13; of Ernest Kubel, owner of lot No. 41; and of Mary Meder, owner of the south 17.10 feet front by the full depth thereof of lot No. 14, all of said property in square No. 724, in Washington, D. C., with regard to assessment and payment for damages on account of change of grade due to the construction of Union Station, in said District.

The message also announced that the Senate had passed the following order:

Ordered, That the Secretary inform the House of Representatives that the Senate is sitting in its Chamber and ready to proceed with the trial of impeachment of Robert W. Archbald.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 7130. An act to provide for the establishment of an immigration station at Hampton Roads, in the State of Virginia, and the erection of a public building on a site to be selected for said station; to the Committee on Immigration and Naturalization.

S. 6596. An act to provide for the purchase of a site and the erection of a public building thereon in the town of Fort Fairfield, in the State of Maine; to the Committee on Public Buildings and Grounds.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 3815. An act to amend an act entitled "An act to require apparatus and operators for radio communication on certain ocean steamers," approved June 24, 1910.

HOMESTEADS UPON RECLAMATION PROJECTS.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent that the bill (S. 5545) providing for the issuing of patent to entrymen for homesteads upon reclamation projects may retain its place on the calendar.

The SPEAKER. On what calendar?

Mr. TAYLOR of Colorado. It is on the Union Calendar and on the Calendar for Unanimous Consent. I ask that it be referred back to the Committee on Irrigation of Arid Lands, with permission to report at once. By direction of the committee I wish to make a supplemental report. I understand it must take that course.

Mr. MANN. I take it that what the gentleman wants is to have the bill recommitted to the Committee on Irrigation of Arid Lands—

Mr. TAYLOR of Colorado. Yes.

Mr. MANN. And, when reported back, that it retain its place on the Unanimous Consent Calendar.

Mr. TAYLOR of Colorado. Yes.

The SPEAKER. If there be no objection, it will be so ordered.

There was no objection.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. SPARKMAN. Mr. Speaker, I call up the conference report on the bill (H. R. 21477) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and ask for the reading of the report.

The SPEAKER. Does the gentleman ask for the reading of the statement in lieu of the report?

Mr. SPARKMAN. I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Florida asks unanimous consent that the statement instead of the conference report on the river and harbor bill be read.

Mr. MANN. Reserving the right to object, I should like to suggest to the gentleman that the statement consists very largely of tabulated statements, which are less intelligible than the conference report itself, and the statement is about as long as the conference report.

Mr. SPARKMAN. I suggest that we might get unanimous consent to dispense with the reading of either the report or the statement.

Mr. MANN. The gentleman is mistaken about that. There is no possibility of adopting something without having anything read.

The SPEAKER. Which does the gentleman ask to have read?

Mr. SPARKMAN. Let the report be read.

The SPEAKER. The conference report will be read by the Clerk.

The Clerk read the conference report as follows:

CONFERENCE REPORT (NO. 1025).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R.

21477) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 12, 28, 35, 93, 105, 106, 107, 156, 183, 184, 185, 186, 188.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 5, 7, 9, 10, 15, 16, 17, 18, 19, 20, 23, 25, 26, 27, 29, 31, 32, 33, 34, 36, 38, 40, 42, 43, 45, 46, 47, 48, 53, 54, 55, 56, 58, 59, 62, 63, 64, 65, 67, 68, 69, 70, 71, 73, 74, 77, 79, 81, 82, 83, 84, 87, 88, 89, 90, 92, 94, 95, 98, 108, 109, 110, 111, 112, 117, 118, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 140, 141, 142, 143, 144, 145, 146, 148, 149, 150, 151, 152, 154, 155, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 178, 179, 181, 187; and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "Improving Pollock Rip Channel through the shoals lying near the entrance to Nantucket Sound, Mass., in accordance with the report submitted in House Document No. 536, Sixty-second Congress, second session, \$125,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In the proposed amendment strike out the words "five hundred thousand dollars" and insert in lieu thereof the words "three hundred thousand dollars"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In the proposed amendment strike out all after the words "five thousand dollars"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In the proposed amendment strike out the words "five hundred thousand" and insert in lieu thereof the words "three hundred thousand"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the proviso contained in the proposed amendment insert the following: "Provided, That the land required for making said cut-offs, or easements therein, shall be furnished free of cost to the United States, and the United States shall be released from all claims for damages arising from the proposed diversion of the stream"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the language proposed, insert the following: "Improving Elk and Little Elk Rivers, Md.: Completing improvement in accordance with the report submitted in House Document No. 770, Sixty-second Congress, second session, and subject to the conditions set forth in said document, \$4,040"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "Provided, That the provisions of section 11 of the river and harbor act of March 3, 1899, are hereby made applicable to the Potomac and Anacostia Rivers, and hereafter harbor lines in the District of Columbia, or elsewhere on said rivers, shall be established or modified as therein provided; and all laws or parts of laws inconsistent with this proviso are hereby repealed: *Provided further*, That hereafter the officer in local charge of the improvement shall have authority, with approval of the Chief of Engineers, United States Army, when no public building is available, to rent suitable offices, to be paid for pro rata from the appropriations for works in his charge: *And provided further*, That the proviso in the act of June 3, 1896, entitled 'An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes,' under the item 'Improving Potomac River, Washington, D. C.' is hereby repealed"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24,

and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "printed in House Document No. 589, Sixty-second Congress, second session, and the foregoing appropriation shall be devoted to that purpose; for the improvement and maintenance of said inland waterway, \$100,000; in all, \$600,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In the proposed amendment strike out the words "six months from the date of the approval of this act," and insert in lieu thereof the words "one year from February 27, 1912"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "That the provision in the river and harbor act approved March 3, 1905 (33 Stat., p. 1128), granting Louis M. Tisdale the right and authority to construct and operate a channel through Mobile Bay, and to construct and maintain wharves, piers, anchorage and turning basins, and other similar structures in said bay, is hereby revived and reenacted: *Provided*, That the said provision is hereby so amended as to vest in the South Mobile Terminal Co., its successors and assigns, all the rights, privileges, and authority thereby granted to the said Louis M. Tisdale, subject to all the terms and conditions of said act, upon full and complete assignment and transfer of all such rights, privileges, and authority of said Tisdale to the said South Mobile Terminal Co.: *Provided also*, That the said provision is hereby further amended so as to extend the time for completing the work therein authorized for a period of five years from the approval of this act: *And provided also*, That the right to alter, amend, or repeal this act, in so far as it relates to this franchise, is hereby expressly reserved"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "of which amount \$120,000 may be applied to the purchase or construction of a suitable dredging plant: *Provided*, That the U. S. dredge Barnard may be transferred back to the improvement from which it was transferred by act approved February 27, 1911, and the balance remaining on hand of the \$60,000 authorized by the act of February 27, 1911, to be expended for the repair and modification of the U. S. dredge Barnard, may be expended for the purchase or construction of the dredging plant herein authorized"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "The Secretary of War may appoint a board of three engineer officers whose duty it shall be to examine and report upon the following harbors and channels in Texas, at or near Galveston, to wit: Galveston Harbor and Channel, Texas City Harbor and Channel, Port Bolivar Harbor and Port Bolivar Channel leading thereto, all with a view to securing a depth of 35 feet"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: In lieu of the language stricken out insert the following: "And the said board shall also report whether the waters lying between Harbor Island and the mainland may be exempted from the operation of the laws relating to navigable waterways of the United States"; and the Senate agree to the same.

Amendments numbered 49, 50, 51 52: That the House recede from its disagreement to the amendments of the Senate numbered 49, 50, 51, 52, and agree to the same with an amendment as follows: In lieu of all the words contained in this paragraph, after the words "heretofore authorized," insert the following: "and for an accurate instrumental survey of the river as recommended in the Annual Report of the Chief of Engineers for 1911, \$425,000; continuing improvement and for maintenance by open channel work, \$15,000; in all, \$440,000"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the language of the proposed amendment insert the following: "For improving the Arkansas River, in Arkansas: For protect-

ing the north bank thereof, in the bend in front of the Crawford County Levee, south of Van Buren, in sections 8, 9, and 10 in township 8 north, range 30 west, which shall be considered extraordinary emergency work, \$30,000. This appropriation shall be expended as soon as practicable in accordance with plans to be prepared by the Chief of Engineers of the War Department"; and the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "Improving Ohio River: For the raising and strengthening of the levees in the city of Cairo, Ill., on the Ohio and Mississippi Rivers, and in the Cairo drainage district, which shall be considered extraordinary emergency work, \$250,000: *Provided*, That the city of Cairo shall expend, or cause to be expended, the same amount for the same purpose"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "For the raising and strengthening of the levees in the city of Mound City, Ill., on the Ohio River, which shall be considered extraordinary emergency work, \$20,000 on the condition that the city of Mound City shall furnish an equal amount for the same purpose"; and the Senate agree to the same.

Amendment numbered 66: That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment as follows: In lieu of the language proposed insert the word "three"; and the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "That in view of the existing emergency \$4,000,000 of the money hereby appropriated is set apart for the repair and construction of levees"; and the Senate agree to the same.

Amendment numbered 75: That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "The traveling expenses of the civilian members of the Mississippi River Commission, and of the assistant engineer of the Board of Engineers for Rivers and Harbors, when on duty, shall be computed and paid in the same way as the traveling expenses of the Army members of said commission, and of said board"; and the Senate agree to the same.

Amendment numbered 76: That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment as follows: In the proposed amendment strike out the words "Bayou Sara" and insert in lieu thereof the words "Baton Rouge, La., and between Bessie, Lake County, Tenn., and Memphis, Tenn.," and strike out the words "twenty thousand" and insert in lieu thereof the words "thirty thousand"; and the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "*Provided*, That cooperation from the localities benefited may be required in the prosecution of the said project in case any comprehensive plan is hereafter adopted by Congress for an apportionment of expense generally applicable to river and other projects in which any improvement now or hereafter adopted confers special or exceptional benefit upon the localities affected: *Provided further*, That nothing herein contained shall postpone the expenditure of the amount hereby appropriated or any further appropriation for said project without action by Congress"; and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: In the proposed amendment strike out the word "eighty-five" and insert in lieu thereof the word "twenty-five"; and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "Improving Stockton Harbor, San Joaquin River, Cal., by dredging McLeod Lake and Fremont Channel, with a view to securing a permanent channel depth of 9 feet, in accordance with the report submitted in House Document No. 581, Sixty-second Congress, second session,

and subject to the conditions set forth in said document, \$11,000"; and the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "Improving Tillamook Bay and Bar, Oreg.: For maintenance, \$5,000"; and the Senate agree to the same.

Amendment numbered 91: That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment as follows: In the proposed amendment strike out the word "eight" and insert in lieu thereof the word "seven"; and after the word "dollars," in the next line, add the following: "And the Secretary of War shall submit a report whether any saving can be effected, and, if so, how much, by a more rapid prosecution of this improvement"; and the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, upon vouchers approved by the former chairman of the National Waterways Commission, from any moneys in the Treasury not otherwise appropriated, the sum of \$4,000, or so much thereof as may be necessary, for the expenses of the National Waterways Commission necessarily incurred for clerical and stenographic services in publishing hearings (S. Doc. No. 274) and completing the final report (S. Doc. No. 469); and the books, maps, charts, and other material relating to waterways remaining in possession of the National Waterways Commission shall be turned over to the Engineer School, Washington Barracks, D. C., under the direction of the chairman of the Committee on Commerce of the Senate and the chairman of the Committee on Rivers and Harbors of the House of Representatives; and all similar material relating to railways shall be turned over to the Interstate Commerce Commission"; and the Senate agree to the same.

Amendment numbered 97: That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "Sec. 7. Unless otherwise expressed, the channel depths referred to in this act shall be understood to signify the depth at mean low water in tidal waters, and the mean depth during the month of lowest water in the navigation season in rivers and nontidal channels; and the channel widths specified shall be understood to admit of such increase in width at the entrances, bends, sidings, and turning places as may be necessary to allow of the free movement of boats." And transfer the paragraph to page 62, immediately after section 6; and the Senate agree to the same.

Amendment numbered 99: That the House recede from its disagreement to the amendment of the Senate numbered 99, and agree to the same with an amendment as follows: Before the word "Whenever," in line 1 of the proposed amendment, insert "Sec. 8." and transfer the paragraph as thus amended to its proper place at the end of the bill; and the Senate agree to the same.

Amendment numbered 100: That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment as follows: Before the first word of the proposed amendment insert "Sec. 9." and transfer the paragraph as thus amended to its proper place at the end of the bill; and the Senate agree to the same.

Amendment numbered 101: That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with an amendment as follows: Before the first word of the proposed amendment insert "Sec. 10." and transfer the paragraph as thus amended to its proper place at the end of the bill; and the Senate agree to the same.

Amendment numbered 102: That the House recede from its disagreement to the amendment of the Senate numbered 102, and agree to the same with an amendment as follows: In lieu of the language proposed insert on page 60, in line 17, after the word "survey," the following: ": *Provided further*, That the Chief of Engineers may, at his discretion, increase to not to exceed nine the number of engineer officers constituting said board: *And provided further*, That a majority of said board shall be of rank not less than lieutenant colonel"; and the Senate agree to the same.

Amendment numbered 103: That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: Before the first word of the proposed amendment insert: "Sec. 11." and

transfer the paragraph as thus amended to its proper place at the end of the bill; and the Senate agree to the same.

Amendment numbered 104: That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "Sec. 12. In order to make possible the economical future development of water power the Secretary of War, upon recommendation of the Chief of Engineers, is hereby authorized, in his discretion, to provide in the permanent parts of any dam authorized at any time by Congress for the improvement of navigation such foundations, sluices, and other works, as may be considered desirable for the future development of its water power." And transfer the paragraph as thus amended to its proper place at the end of the bill; and the Senate agree to the same.

Amendment numbered 113: That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "Buffalo Harbor, N. Y., with a view to increasing the width of the entrance of the inner harbor to 400 feet by removing the Government south pier at the mouth of Buffalo River; also with a view to increasing the width of Black Rock Harbor and the entrances thereto," and transfer the same to page 45, preceding line 1; and the Senate agree to the same.

Amendment numbered 114: That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment as follows: In line 1 of this amendment, after the word "River," insert the word "Connecticut," and transfer said amendment to page 44, after line 24; and the Senate agree to the same.

Amendment numbered 115: That the House recede from its disagreement to the amendment of the Senate numbered 115, and agree to the same with the following amendment: In line 2 of said amendment, after the word "thereof," insert a period and strike out the balance of the amendment; and the Senate agree to the same.

Amendment numbered 116: That the House recede from its disagreement to the amendment of the Senate numbered 116, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "Salmon River, N. Y., at and below Fort Covington"; and the Senate agree to the same.

Amendment numbered 119: That the House recede from its disagreement to the amendment of the Senate numbered 119, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "That a preliminary investigation be made to determine whether a system of impounding reservoirs at the headwaters of the Allegheny, Monongahela, and Ohio Rivers and their tributaries is needed and practicable to provide sufficient water during dry seasons to operate the present and proposed system of locks and dams in these rivers, and to what extent the Federal Government, on the basis of their benefit to navigation, is justified in co-operating with local communities which may be interested in the construction of such reservoirs primarily for the purpose of flood prevention, and the feasibility of operating such reservoirs for the double purpose of flood prevention and improving navigation; and that this investigation be conducted by a board of three engineer officers, to be designated by the Chief of Engineers, United States Army; and that the results of this investigation be reported to Congress, with such additions as may be made thereto by the said Chief of Engineers, not later than December 7, 1912; and that for this purpose the sum of \$5,000, or so much thereof as may be needed, be, and the same is hereby, appropriated"; and the Senate agree to the same.

Amendment numbered 139: That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: ", and inland waterway between Charleston and McClellanville by way of Alligator Creek and Sewee Bay"; and the Senate agree to the same.

Amendment numbered 147: That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with an amendment as follows: In lieu of the language proposed insert: "Escambia and Conecuh Rivers, Ala. and Fla., from River Falls to the mouth in the Gulf of Mexico"; and the Senate agree to the same.

Amendment numbered 153: That the House recede from its disagreement to the amendment of the Senate numbered 153, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "Black River, Ark., near Buttermilk Bank, with a view of protecting the bank

in the interests of navigation"; and the Senate agree to the same.

Amendment numbered 157: That the House recede from its disagreement to the amendment of the Senate numbered 157, and agree to the same with an amendment as follows: In the proposed amendment strike out the word "Little"; and the Senate agree to the same.

Amendment numbered 177: That the House recede from its disagreement to the amendment of the Senate numbered 177, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "Padilla Bay, Skagit County, Washington, with a view of ascertaining the desirability of modifying or relocating the navigable channels in said bay"; and the Senate agree to the same.

Amendment numbered 180: That the House recede from its disagreement to the amendment of the Senate numbered 180, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "Channel connecting Admiralty Inlet with Crockett Lake, Washington"; and the Senate agree to the same.

Amendment numbered 182: That the House recede from its disagreement to the amendment of the Senate numbered 182, and agree to the same with an amendment as follows: Before the first word of the proposed amendment insert "Sec. 13." and transfer the paragraph as thus amended to its proper place at the end of the bill; and the Senate agree to the same.

M. SPARKMAN,
JOSEPH E. RANDELL,
GEORGE P. LAWRENCE,
Managers on the part of the House.
KNUTE NELSON,
JONATHAN BOURNE,
F. M. SIMMONS,
Managers on the part of the Senate.

The statement is as follows:

STATEMENT.

The House conferees on H. R. 21477, making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, would respectfully report that they have reached an agreement with the Senate conferees, and recommend that the conference report on the bill filed herewith be adopted.

The river and harbor bill as it passed the House carried cash appropriations in the sum of \$24,062,520.50, with a single continuing-contract authorization of \$2,200,000 for locks and dams on the Ohio River, or a total for the House bill in cash and authorization of \$26,262,520.50. The amount added by amendment in the Senate was \$7,821,010, all of which was in cash appropriations, no additional continuing-contract authorizations being provided, making the total as it passed the Senate \$31,883,530.50 in cash and \$2,200,000 in continuing-contract authorization, a total of \$34,083,530.50 for the bill. As a result of the conference the amount involved in the Senate amendments has been reduced from \$7,821,010 to \$6,996,850, making the total of the bill as it now stands \$33,259,370.50 (\$31,059,370.50 in cash and \$2,200,000 in continuing-contract authorization).

The total number of amendments to the bill adopted by the Senate was 188.

NEW PROJECTS ADDED BY THE SENATE.

Of these amendments, 29 involved the adoption of new projects, nearly all of which were contained in reports received since the date of closing the bill by the House committee, and hence not considered by it or the House.

After careful consideration the House conferees receded from their disagreement to the adoption of the following new projects:

No. of amendment.	Locality.	Amount.
1	South Bristol Harbor, Me.....	\$3,500
3	New Bedford and Fairhaven Harbors, Mass.....	56,610
4	Block Island harbor of refuge, R. I.....	30,000
5	West River, New Haven Harbor, Conn.....	54,000
7	Mamaroneck Harbor, N. Y.....	26,500
15	Leipsie River, Del.....	19,600
16	Little River, Del.....	14,000
17	Wilmington Harbor, Del.....	250,000
22	Aquia Creek, Va.....	21,400
25	Cape Lookout harbor of refuge, N. C.....	300,000
26	Cape Fear River below Wilmington, N. C.....	300,000
29	St. Marys River, Ga. and Fla.....	19,450

No. of amendment.	Locality.	Amount.
32-33	Key West Harbor, Fla.....	\$48,000
34	Charlotte Harbor, Fla.....	20,000
36	St. Joseph Bay, Fla.....	20,000
62	Allegheny River, Pa.....	300,000
64	Manistee Harbor, Mich.....	150,000
69	Chicago Harbor, Ill.....	350,000
81	Kansas River, Kans.....	4,000
82	Los Angeles Harbor, Cal.....	327,250
88	Nehalem Bay, Oreg.....	100,000
89	Columbia and Lower Willamette Rivers, Oreg. (in lieu of House appropriation on old project, amounting to \$155,000).....	180,000
90	Oregon Slough, Oreg.....	50,000
94	Apoon mouth of Yukon River, Alaska.....	130,000

The House conferees receded from their disagreement to the adoption of the following-named new projects after amendment, as indicated:

No. of amendment.	Locality.	Amount.
2	Pollock Rip Channel, Mass.: Amount of appropriation reduced from \$250,000 to.....	\$125,000
8	Jamaica Bay, N. Y.: Amount of appropriation reduced from \$500,000 to.....	300,000
11	Newark Bay and Passaic River, N. J.....	5,000
21	Provision relative to consolidation of existing projects and cancellation of existing contracts omitted. Elk and Little Elk Rivers, Md.: Amount of appropriation reduced from \$8,200 to..... And adoption of project made conditional upon local cooperation.....	4,040
85	Stockton Harbor, San Joaquin River, Cal..... Adoption of project made subject to the condition that adequate bulkheads and terminals will be provided free of cost to the United States.....	11,000

INCREASES IN HOUSE ITEMS.

The following Senate amendments involving increases of appropriations in items already adopted by the House were agreed to by the House conferees in whole or in part, it appearing that additional provision for the respective works would be desirable:

No. of amendment.	Locality.	Amount.
9-10	Absecon Inlet, N. J.: House item increased from \$25,000 to..... With proviso that if work can not be contracted for at reasonable rates, so much of the amount appropriated as shall be necessary may be used for the construction of a Government dredge.....	\$190,000
13	Delaware River below Philadelphia, Pa.: The House item of \$1,000,000, which was increased by the Senate to \$1,500,000, was reduced in conference to.....	1,300,000
24	Inland waterway from Norfolk, Va., to Beaufort Inlet, N. C.: House item increased from \$500,000 for purchase of the Chesapeake & Albemarle Canal by \$200,000 for the improvement and maintenance of said waterway, which was reduced in conference to \$100,000, making in all.....	600,000
33-39	Gulfport Harbor, Miss.: House item increased from \$100,000 to..... With authority to secure a suitable dredging plant.....	200,000
53-55	Texas coast waterway: House item increased by..... To allow for the construction of certain bridges.....	12,000
58	Cumberland River above Nashville, Tenn.: House item increased by..... To provide for the purchase of certain flowage rights above Dams Nos. 6 and 7.....	2,500
66	St. Marys River, Mich.: House item for fourth lock, which was increased by the Senate from \$200,000 to \$400,000, was reduced in conference to.....	300,000
68	Warroad Harbor, Minn.: House item increased from \$3,200 to.....	13,200
70-74	Mississippi River, Head of Passes to Ohio River: House item increased from \$3,500,000 to..... In order to make provision for repair and construction of levees.....	6,000,000
79	Missouri River, from Sioux City to Fort Benton: House item increased from \$75,000 to.....	150,000
84	Oakland Harbor, Cal.: House item increased from \$100,000 to.....	130,000
91	The Dalles Canal, Columbia River, Oreg.: House item of \$600,000, which was increased by the Senate to \$800,000, was reduced in conference to..... And the Secretary of War authorized to report whether any saving would be effected by a more rapid prosecution of this improvement.....	700,000
92	Columbia River, above Celilo Falls to mouth of Snake River, Oreg. and Wash.: House item increased from \$30,000 to.....	50,000

APPROPRIATION ITEMS ADDED FOR WORKS HERETOFORE ADOPTED.

In two instances the Senate proposed appropriations for works heretofore adopted and not provided for in the House bill. These items appearing desirable, the House conferees receded from their disagreement and agreed to the same:

No. of amendment.	Locality.	Amount.
48	Mouth of Brazos River, Tex.	\$25,000
77	Reservoirs at headwaters of Mississippi River	15,000

MISCELLANEOUS ITEMS.

Various miscellaneous amendments were passed by the Senate, which, upon investigation, were found to be desirable and were therefore accepted by the House conferees, as follows:

No. of amendment.	Locality.
18	House provision of \$75,000 for Youghiogheny River, Pa., was omitted by the Senate and agreed to by the House conferees.
19-20	An item of \$3,000 for maintenance of Broad Creek River, Del., was stricken out, the House conferees receding from its objection.
27	Shipyard Creek, Charleston Harbor, S. C.: The Senate added a reference to the document in which the report is printed, and made the improvement of the locality conditional upon local assistance.
31	Inland waterway between Savannah, Ga., and Fernandina, Fla.: Item modified by omitting from the House item the words "by the new route between Sapelo and Doboy Sounds by way of Front River."
40	Bayou Terrebonne, La.: Right of way required for improvement to be furnished free of cost to the United States.
46	Sabine-Neches Canal, Tex.: Additional work authorized within the original estimate.
56	Texas coast waterway: Change of route authorized at or near Port O'Connor, Tex., in accordance with the report of the engineers.
59	Reimbursing county of Madison, Ky., for restoration of road near Otter Creek, a tributary of Kentucky River, the amount not to exceed \$1,500.
63	Manistee Harbor, Mich.: Appropriation for work of maintenance omitted in view of new project adopted. See amendment No. 64.
65	Improving harbor at Arcadia, Mich., \$15,000.
67	Kewaunee Harbor, Wis.: City of Kewaunee released from certain obligations imposed by act of June 25, 1910.
83	Los Angeles Harbor, Cal.: Provision for exchange of lands belonging to the United States and the city of Los Angeles, respectively.
86-87	The House item for Tillamook Bay and Bar, Oreg., was divided into two items.
95	Kahului Harbor, Hawaii: New report on west breakwater ordered.
98	The words "and minor surveys" added to the word "examinations" in the House item.
187	Provision authorizing printing of index to the annual reports of the Chief of Engineers.

The following miscellaneous amendments adopted by the Senate were accepted by the House conferees after amendment:

No. of amendment.	Locality.
14	Leipsic River, Del.: Provision for cut-offs Nos. 1 and 5, the expense to be paid from funds on hand, was agreed to with amendment releasing the United States from claims for damages arising from the diversion of the stream.
22	Potomac River: The provisos added by the Senate relative to harbor lines and to rent of office for the local engineer officer at Washington, D. C., were concurred in by the House conferees after amendment to correct three slight clerical and typographical errors.
30	Cocosa River, Ala.: Provision for extending the time for beginning work by the Ragland Water Power Co. at Lock No. 4, authorized by the river and harbor act of Feb. 27, 1911; agreed to, after amendment as to the date from which this authority shall take effect.
37	Franchise granted to Louis M. Tisdale by the river and harbor act of Mar. 3, 1905, to maintain certain structures in Mobile Bay, Ala., revived, and transfer to the South Mobile Terminal Co. authorized. Item agreed to after amendment making the franchise subject to certain conditions named in the original act.
41	Board for Galveston Harbor, Galveston Channel, Texas City Channel, and Port Bolivar Channel; agreed to with verbal amendments.
45	Board for Port Aransas, Tex.; agreed to with amendment calling for report whether the waters lying between Harbor Island and the mainland may be exempted from the laws relating to navigable waterways of the United States.
49-52	Trinity River, Tex.: \$440,000 is appropriated to be expended in accordance with the House provision with the exception that the authorization for two additional locks and dams has been stricken out.
57	Improving Arkansas River near Van Buren, Ark.: An item appropriating \$30,000 for protection of bank in front of the Crawford County levee.
60	Ohio River at Cairo, Ill.: Appropriation of \$250,000 for aid in levee construction upon condition that the city furnish an equal amount for the same purpose; agreed to, with amendment specifying that the work shall be considered as an extraordinary emergency.
61	Ohio River at Mound City, Ill.: Appropriation of \$20,000 for aid in levee construction upon condition that the city furnish an equal amount for the same purpose; agreed to, with amendment specifying that the work shall be considered as an extraordinary emergency.
75	Provision relative to payment of traveling expenses of civilian members of the Mississippi River Commission; amended to include the assistant engineer of the Board of Engineers for Rivers and Harbors.

No. of amendment.	Locality.
76	\$30,000 is appropriated for a survey of certain overflowed lands on the east bank of the Mississippi River between Brunswick, Miss., and Baton Rouge, La., and Bessie, Lake County, Tenn., and Memphis, Tenn.
78	Missouri River from Kansas City to the mouth: Proviso relative to local cooperation amended and agreed to.
96	National Waterways Commission: To close accounts and dispose of library, etc., \$4,000.
97	General provision as to channel depths and widths: Item rewritten and transferred to section 7.
99	General provision as to combining two or more works under one contract, and as to use of appropriation for prosecution of work when insufficient for completion: Item transferred to section 8, but not otherwise modified.
100	General provision authorizing engineer officers to hire transportation in certain cases: Item transferred to section 9, but not otherwise modified.
101	Provision for employment of additional office force by the Chief of Engineers in emergencies: Item transferred to section 10, but not otherwise modified.
102	Provision authorizing an increase in the Board of Engineers for Rivers and Harbors: Senate amendment modified so as to make the increase discretionary and not mandatory, and item transferred to end of section 3 of bill.
103	Construction of building for Engineer School: Item transferred to section 11, but not otherwise modified.
104	Provision permitting development of water power at dams authorized by Congress: Two slight verbal amendments and item transferred to section 12.
177	Padilla Bay, Wash.: Provision authorizing private parties to make certain improvements modified so as to order examination to be made by the United States.
182	Provision authorizing certain printing to be paid from river and harbor appropriations: Item transferred to section 13, but not otherwise modified.

SURVEY ITEMS.

To the list of surveys contained in the House bill the Senate added 59 new items, modified 6 others, and omitted 2 altogether. With slight modifications in certain instances, as indicated, the House conferees agreed to all these with one exception (amendment No. 156—Ohio River, Shawneetown Levee, Ill., a new item which was omitted). Amendment No. 177 was modified in conference so as to make provision for examination and survey.

The several items are as follows:

NEW SURVEY ITEMS AGREED TO.

No. of amendment.	Locality.
108	Wills Strait, Casco Bay, Me.
110	Scituate Harbor, Mass.
111	Breakwater near Narragansett Pier, R. I.
112	Dutch Island Harbor, R. I.
118	Rahway River, N. J.
122	Cabin Branch and Curtis Creek, Md.
123	Huntingfield Creek, Md.
124	Rock Hall Harbor, Md.
125	Breton Bay, Md.
126	Chesapeake Bay, off Pooles Island, Md.
127	Oyster Harbor, Va.
128	Channel at Tangier, Chesapeake Bay, Va.
129	Jackson Creek, Va.
130	Nassawadox Creek, Va.
131	Cape Charles City Harbor, Va.
132	Hampton Creek, Va.
133	Savages Creek, Va.
135	Northwest prong, Bay River, N. C.
136	Meherrin River, N. C.
137	Trent River, from Newbern to Pollocksville, N. C.
138	Cape Fear River below Wilmington, N. C., channel to quarantine station.
140	Savannah River at North Augusta, S. C.
142	Channel to Pineland on Pine Island, Lee County, Fla.
144	St. Johns River, Fla., from Lake Harney to Lake Washington.
145	Charlotte Harbor, Fla.
146	Waterway from Pensacola Bay to Wolf Bay, Fla. and Ala.
148	Horseshoe Lake, Holmes Co., Miss.
149	Mouth of Bayou St. John, Orleans Parish, La.
151	Rio Grande River, N. Mex.
152	St. Francis and L'Anguille Rivers, Ark.
154	Kanawha River, W. Va.
155	Harbor at Spring Bay, Illinois River, Ill.
162	Charlevoix Harbor, Mich.
163	Crooked, Burt, and Mullett Lakes, Mich.
164	Grays Reef Passage off Waughoshance, Lake Michigan, in the State of Michigan.
165	Siskiwit River, Wis.
166	Brule Harbor, Wis.
167	Reservoir at Mille Lacs Lake and Onamia Lake, Minn.
168	Guadalupe River, Cal.
169	Crescent City Harbor and vicinity, Cal.
170	Redondo Harbor, Cal.
171	Yaquina Bay and Bar entrance, Oreg.
172	Port Orford Harbor, Oreg.
173	Port Orford Harbor at Graveyard Point, Oreg.
174	Columbia River between Vancouver, Wash., and the mouth of the Willamette River, Oreg.
175	Columbia River, Wash., from and through Rickey and Grand Rapids to the international boundary line.
176	Waterway connecting Similk Bay with Padilla Bay, Wash.
179	North Nasel, and other streams entering Willapa Harbor, Wash.
181	San Juan Harbor, P. R.

NEW SURVEY ITEMS AGREED TO AFTER AMENDMENT.

No. of amendment.	Locality.
113	Buffalo Harbor and Black Rock Harbor, N. Y.
114	Wethersfield Cove, Connecticut River, Conn.
115	Great Chazy River, N. Y.
116	Salmon River, N. Y., at and below Fort Covington.
119	Reservoirs at headwaters of Allegheny, Monongahela, and Ohio Rivers, and their tributaries.
147	Escambia and Conecuh Rivers, Fla. and Ala.
153	Black River, Ark.
157	Wabash River, at Maunie, Ill.
180	Channel connecting Admiralty Inlet with Crockett Lake, Wash.

HOUSE SURVEY ITEMS MODIFIED AND AGREED TO.

109	Beverly Harbor, Mass., including ledge near Essex Bridge.
134	Lumber River, N. C. and S. C., to Turnpike bridge in Hoke and Scotland Counties, N. C.
139	Inland waterway between McClellanville and Winyah Bay and between Charleston and McClellanville by way of Alligator Creek and Sewee Bay, S. C.
141	Tugaloo River, Ga. and S. C., from Panther Creek to Chandlers Shoals.
143	Withlacoochee River, from Fort Inglis to the Gulf of Mexico and between Stokes Ferry and Panasoffke, Fla.
178	Willapa River and Harbor, Wash., from Raymond to the sea.

HOUSE SURVEY ITEMS OMITTED.

117	Tarrytown Harbor, N. Y.
150	Texas Coast Waterway near Port O'Connor, Tex.

VERBAL AMENDMENTS.

The following amendments made by the Senate for the purpose of correcting errors or inaccuracies were concurred in by the House:

No. of amendment.	
47	Insertion of word "and" to correct error.
80	Error in addition corrected.
120-121	Curtis Bay Channel, Baltimore, Md. (survey item).
158-161	Mahoning River, Ohio (survey item).

AMENDMENTS FROM WHICH THE SENATE RECEDED.

The Senate receded from its remaining amendments as follows:

No. of amendment.	
6	Connecticut River above Hartford, Conn.: Omission of House item making appropriation of \$25,000 for maintenance of improvement.
12	Passaic River, N. J.: Omission of appropriation of \$5,000 for maintenance above the Montclair and Greenwood Lake Railroad bridge.
28	Winyah Bay, S. C.: Reduction of \$50,000 in the appropriation.
35	St. Augustine Harbor, Fla.: Senate item omitted.
93	Protection of United States buildings and property at Valdez, Alaska.
105	Provision relative to appointment and transfer of officers of the Corps of Engineers.
106-107	New section in regard to standardization of projects, etc., with appropriation of \$100,000.
156	Ohio River, Shawneetown Levee, Ill. (survey).
183-186	Renumbering of sections rendered unnecessary by omission of proposed section 2.
188	Provision relative to detail of officers of the Revenue-Marine Service to the Life-Saving Service.

All of which is respectfully submitted.

S. M. SPARKMAN,
JOS. E. RANSELL,
GEO. P. LAWRENCE,

Managers on the part of the House.

Mr. SPARKMAN. Mr. Speaker, after a short statement covering the report of the conferees on this bill I shall ask its adoption.

As this bill left the House and went to the Senate it carried appropriations amounting to \$24,062,520.50, cash appropriations, and \$2,200,000 authorization for the Ohio River. As it came from the Senate and went to the conference committee it aggregated \$34,083,530.50, the Senate having added to the bill \$7,821,010. As a result of the conference the bill has been reduced to \$33,259,370.50. In other words, a reduction of a little more than \$800,000 in the aggregate of the bill was effected in conference.

A large part of this aggregate, placed in the bill by the Senate, consisted of \$2,500,000 for the lower Mississippi River, for the purpose of reconstructing the levees. That was made

desirable, if not indispensable, by the recent floods which visited the lower part of that river while the bill was pending in the Senate. The waters rose higher than they had ever risen before, certainly higher than they had been for many years, and breaking through the levees flooded a large section of country, destroying many lives and a large amount of property.

These flood conditions were so serious as to arouse the sympathy of the whole country, which, reaching the Senate, found expression in this amendment appropriating \$2,500,000 for the purpose of aiding the people along the banks of the river in reconstructing and strengthening the levees there.

Perhaps I should say just here that Congress has for years been appropriating money for the construction of levees in connection with the States and local interests bordering the lower river.

A great deal of money has been thus expended—something like twenty-six millions by the Government and fifty-eight millions by the bordering States and local interests—but lately the Government engineers have directed their efforts toward revetment rather than levee work, so that less and less of the appropriations made by Congress have been expended of recent years on the latter than on the former. In this arrangement the people directly interested in levees there had acquiesced, and it was the hope of the Committee on Rivers and Harbors when this bill was prepared that participation by the Government in that class of work would soon cease; but this flood came, breaking the levees in many places and destroying both life and property. Under these conditions the Senate thought it advisable to provide liberally for the work of reconstructing these levees. So they added that \$2,500,000 to the bill. But for this addition the Senate amendments in the aggregate would not have been unduly large. They would only have amounted to about \$5,000,000 more than the amount inserted by the House as we finally agreed to the bill, which is not out of proportion to the aggregate of amendments usually made by the Senate in river and harbor bills. There were inserted by the Senate 29 new projects, the reports on the most of which reached Congress after the river and harbor bill had been reported to the House. A majority of these, I dare say, would have been adopted by the House committee in the preparation of the bill if they had reached us in time, because most of them—indeed, all of them—are worthy projects. A few of them had been submitted before that time, such, for instance, as the Cape Fear River, N. C., below Wilmington; Cape Lookout harbor of refuge; Jamaica Bay, N. Y.; and the Allegheny River; but were not favorably considered by the River and Harbor Committee in the preparation of a bill such as this, which was framed along conservative lines. They were large projects, involving large expenditures, and perhaps not so urgent as others, and we thought they, among a large number of others omitted, could easily wait until another bill, when we could deal more generously with the projects throughout the country. But the Senate, having, of course, the right to amend the bill, saw proper to insert these provisions, and after a lengthy conference between the members of the conference committee, both on the part of the House and of the Senate, during which they were carefully considered, we finally concluded to let them remain in the bill.

Jamaica Bay is a part of New York Harbor, and bids fair to become a very important part of that harbor, which is the most important in the country and should receive every consideration, nor have I found Congress backward in making every provision for its improvement. Whatever it really needs for the purpose of carrying on the great and growing commerce there Congress has ever been ready to give. Another project which came in after the bill had left the House, which we permitted to remain in the bill, and without serious objection, was the Chicago Harbor. This is likewise a very important place. True the commerce is not as large as that of New York, but it is a very large commerce and one that should be encouraged. As the purpose of these appropriations is to benefit commerce we should not be parsimonious when it comes to dealing with such places as New York, Chicago, and other large commercial harbors. But, as I said a moment ago, all the projects adopted by the Senate are important. I do not think there is one in the bill that ought not to be there. Possibly some of them might have been left out of the bill, which we intended to be a conservative measure, but the Senate did not see it that way, or at least did not agree with us so far as these projects were concerned, and as we could not have our way in everything we agreed to the report as it has been submitted to the House.

Mr. HUMPHREY of Washington. Mr. Speaker, will the gentleman yield?

Mr. SPARKMAN. Certainly.

Mr. HUMPHREY of Washington. Referring to page 43 of the bill, I see that three amendments have been inserted, numbered 60, 61, and 62. The first of these is for the purpose, as I understand it, of raising and strengthening the levees about the city of Cairo, Ill., on the Ohio and Mississippi Rivers, and in the Cairo drainage district, \$250,000. I wanted to ask whether or not those levees belong to the Government.

Mr. SPARKMAN. They belong to the Government in the same sense that most of the levees belong to the Government. They are supposed to be in the interest of commerce. We have gone ahead and constructed levees along the banks of the Mississippi River upon the theory, so far as we are concerned, that they are, in a measure, aids to commerce.

Mr. HUMPHREY of Washington. What I want to ask is, Did the Government construct the levees?

Mr. SPARKMAN. I understand not. I understand they were constructed by the States or by subdivisions of the States along the banks of the river.

Mr. HUMPHREY of Washington. Is the same thing true for the raising and strengthening of the levees at Mound City, Ill., on the Ohio River?

Mr. SPARKMAN. The same, I believe.

Mr. HUMPHREY of Washington. Am I to understand that it is now the policy of the Committee on Rivers and Harbors to appropriate money to build levees and to strengthen and rebuild them where they have been built by others than the Government, to protect the adjacent country from flood?

Mr. SPARKMAN. In answer to that I will say that we do not undertake in this bill to lay down any policy. In all of these items, and there are three of them—the Mississippi River, Mound City, and Cairo—the appropriations are made upon the theory that they present cases of emergency, that it is work that should be done immediately, all as the result of floods, and, so far as the General Government is concerned, also upon the theory that it is in the interest of navigation. As I said, I do not know just what the policy hereafter is going to be, but we certainly do not intend to establish a precedent upon which similar appropriations may be predicated in the future, nor at any time, for the sole protection of private property.

Mr. HUMPHREY of Washington. Let me ask the gentleman this question: Have we ever made appropriations before under similar conditions?

Mr. SPARKMAN. Oh, I expect so. I do not recall going very far away from the Mississippi River heretofore, nor do we do that in this bill.

Mr. HUMPHREY of Washington. Does the gentleman recall any place where the Government has appropriated money heretofore under similar conditions?

Mr. SPARKMAN. Not for levee work, except in the interest of navigation.

Mr. HUMPHREY of Washington. For the strengthening or the building of levees which were built by others than the Government?

Mr. SPARKMAN. I do not recall any levee work except as just stated.

Mr. HUMPHREY of Washington. I am asking for information. I have not been a member of the Rivers and Harbors Committee for a great many years, and this is the first instance that I have known. It does seem to me that it is a departure from the policy that we have heretofore followed, and unless my memory is at fault we have rejected these very items when they were before our committee.

Mr. SPARKMAN. I do not recall about that.

Mr. RANDELL of Louisiana. Mr. Speaker, I would like to correct the gentleman on that. I do not think these items were before our committee before.

Mr. HUMPHREY of Washington. The question of this Cairo project certainly was.

Mr. RANDELL of Louisiana. I do not recall its having been before our committee at any time before. I will say that the reason why it was put on at this time is that it was so closely connected with the Mississippi. We are building levees upon the opposite side. The Mississippi River Commission has for years had jurisdiction up to Cape Girardeau, which is considerably north of Cairo. It has not been building levees on the east bank, and therefore has not contributed to these Cairo levees, but it has been building on this side, and the raising of those levees over there on the other side by the Government has certainly raised it considerably on the Illinois side. Now, that fact was pressed upon the committee very strongly, and the further fact we were building levees just on the opposite side and this is really a part of the levee system of the Mississippi River, though we have not heretofore contributed for these Cairo levees. The situation there was different from many other sections of the country. There the waters of the Ohio

come in conjunction with the Missouri and the upper Mississippi and create an entirely different situation from that which prevails anywhere else.

Mr. HUMPHREY of Washington. I understand about these floods, but I think the gentleman must have misunderstood my question. It does not seem to me it is possible—I may be mistaken—about the mayor of Cairo appearing before our committee and explaining this whole situation and asking for an appropriation.

Mr. RANDELL of Louisiana. That was after our bill had been reported.

Mr. HUMPHREY of Washington. After our bill had been reported.

Mr. RANDELL of Louisiana. The bill had been reported to the House, and it was before the Senate, and they went before the Senate and they had a hearing and they asked to be heard by us, so that our conferees might fully understand the situation. And they were heard there.

Mr. RANDELL of Texas. I think the gentleman is quite right, and it was way after the bill was in the Senate, and they made a strong showing before us.

Mr. HUMPHREY of Washington. I am not opposing this item in the bill, but I do think it is well to call the attention of the House to the fact that we were now departing from the policy, in my judgment, which we have always pursued; and, as I understand it, we are now beginning to appropriate money for the strengthening and building of levees to prevent floods. Now, I do not know whether that is a good policy or not, but I think we are starting upon a policy which you are not going to limit very long to the Mississippi and Ohio Rivers. I think there are demands coming from other portions of the country, and we will be called upon to take care of flooded districts other than those along the Mississippi. I have always voted in the committee in favor of these appropriations, but I think we ought to start upon this matter with our eyes open, knowing when these items go into the bill we will be placed in the position of having to take care of other flooded countries, a great many of which are not in the Mississippi Valley. Take the floods in the Sacramento River of California, where a tremendous amount of damage—

Mr. SPARKMAN. Does the gentleman desire some time?

Mr. HUMPHREY of Washington. Yes.

Mr. SPARKMAN. I did not mean right now, because I am not through.

Mr. HUMPHREY of Washington. Only a sentence more. I wanted to call the attention of the House to these items and suggest that we ought to know what we are voting on when we adopt them. We are starting now upon a policy that will never end so long as the Republic will last. In a few years we will be spending fifty millions annually to protect communities from floods. We have now definitely abandoned the policy that we appropriate money only for the purposes of navigation.

Mr. HARDWICK. Mr. Speaker, following the line of questions pursued by the gentleman who has just taken his seat; in my district, in the city of Augusta, we have had exactly the same trouble they have had along the Mississippi River. It comes from the periodical flooding of a great section of the country by a great navigable river. I want to know if, in the opinion of the gentleman, in regard to aiding one section of the country, and I am heartily in favor of aiding it, whether the same principle will not apply to other sections of the country that are circumstanced like the Mississippi River?

Mr. SPARKMAN. I will answer yes; but, as a matter of fact, we have never in the building of levees gotten far from the Mississippi River, and I want to call attention to another thing, that although the great political parties of the country—I refer to the Democratic and Republican Parties, not to the proposed new party—

Mr. HARDWICK. Or the Socialist Party?

Mr. SPARKMAN (continuing). In their platforms recently seem to carve out the Mississippi River and segregate it from the balance of the country. I do not think we are very close even now to the adoption anywhere of the policy of levee building without local cooperation.

Mr. HARDWICK. But where there is cooperation, does not the gentleman think there ought to be Government aid?

Mr. SPARKMAN. Oh, no; not in every case. We are not, I think, to get very far from the Mississippi River, and even then should not, I think, go beyond the demands of navigation. If you will examine into the matter, you will find that the appropriations convey the idea that the localities are to contribute an equal or at least some amount. That is what the people along the Mississippi River have been doing for many years. Indeed, they have contributed an aggregate during the years of levy building much greater than that contributed by the Fed-

eral Government. And even with that, as I said a little while ago, we have been trying to get away from levee building. We had started out on the policy of revetting the banks of the Mississippi River at cost of ninety-odd million dollars from Cairo to the Head of Passes.

Much study of the problem of the improvement of the lower Mississippi River, into which study both observation of and experience with that stretch of the river had entered, led the Mississippi River Commission and the Government engineers to the conclusion that revetment work and bank protection were the most potential for the improvement and maintenance of the navigable features of that river. It was believed that by the revetment of the banks at certain localities erosion could be stopped and the washing of the banks into the river prevented, and that by confining the waters at low stages to a relatively small channel the river would be deepened to the required depth without much dredging. It was further believed by the engineers that even during periods of overflow these revetments would hold the banks in place and maintain the integrity of the channel. So that finally it was determined to limit the improvement of this stretch of the river almost exclusively to revetment work, and as the cost of this would be very heavy the people directly interested, recognizing its importance, agreed, as I am informed, that the Government should confine its activities in the improvement there almost, if not exclusively, to that class of work and work of a kindred character. So that two years ago, and in the bill of 1910, we adopted the policy of revetting the banks under a project to cost some ninety-odd millions of dollars, appropriations for which were to be made in annual bills and in such amounts as would complete that great work in a period of about 18 years. This is a large sum of money, to be sure, but it is an important project, and should be completed as early as practicable, considering Treasury conditions and the necessities of other projects and other river and harbor works throughout the country. Hence the advisability of adhering to that policy and only departing from it in cases of great emergency.

Mr. HARDWICK. Just one more question, if the gentleman will permit.

Mr. SPARKMAN. Certainly.

Mr. HARDWICK. I understood the gentleman to say the Mississippi River was the single instance in which the Federal Government had appropriated for building levees.

Mr. SPARKMAN. For building levees.

Mr. HARDWICK. Is the gentleman sure about his facts in reference to that?

Mr. SPARKMAN. I think of none just now.

Mr. HARDWICK. Does the gentleman know that any money has been spent for building levees on the Mississippi River?

Mr. SPARKMAN. Yes; a great deal; and an appropriation has been made in this bill for that purpose.

Mr. HARDWICK. Requiring State or local cooperation?

Mr. RUSSELL. Did the gentleman ask me the question? I will state in my own State the Government has built some levees independent. The county has made up levee and drainage districts and levies a tax upon the benefits to be derived, and they contribute in part to the building of the levee system.

Mr. HARDWICK. I desire to say the committee over which the gentleman presides has been both just and generous to the district which I have the honor to represent here, and I am not complaining.

Mr. SMALL. Not generous, but just.

Mr. HARDWICK. Just and generous both; I will put it that way; but I did not want the statement to go unchallenged on this floor that because specific reference was made in the platforms of the Democratic or Republican parties to the Mississippi River and its improvements that the same principle does not apply and must not apply, in justice and fairness, whenever a navigable river is interstate in its character and where something like approximately the same situation as that in the Mississippi Valley would result unless Federal aid were extended to prevent it.

Mr. SPARKMAN. It is hard to differentiate perhaps, but we have for years confined that class of work practically to the Mississippi River.

Mr. HARDWICK. I do not want the gentleman to foreclose that question against us. For one, I shall contend very strenuously that the principle must be applied equally to every navigable river and to every section of our country.

Mr. GILLET. Will the gentleman yield for a question?

Mr. SPARKMAN. Certainly.

Mr. GILLET. Am I right in understanding that the appropriation of \$25,000 for the Connecticut River that was in the bill and that was put out in the Senate is now in the conference?

Mr. SPARKMAN. It is.

Mr. GILLET. Mr. Speaker, I would like to submit a few remarks on that subject, but it is a local question, and therefore I ask unanimous consent to extend my remarks in the Record.

The SPEAKER. The question is on agreeing to the conference report.

Mr. RANDELL of Louisiana. Mr. Speaker, I would like to submit a few remarks. I do want to say something.

The SPEAKER. Has the gentleman from Florida [Mr. SPARKMAN] finished?

Mr. SPARKMAN. Not just yet. I understand the gentleman from Illinois [Mr. MANN] would like to ask some questions.

The SPEAKER. Without objection, the gentleman from Massachusetts [Mr. GILLET] will be permitted to extend his remarks in the Record.

There was no objection.

Mr. NEEDHAM. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection?

There was no objection.

Mr. SPARKMAN. How much time does the gentleman from Illinois [Mr. MANN] desire?

Mr. MANN. I would like to ask the gentleman now a question in reference to amendment No. 37, as to the granting of rights, privileges, and authority to Louis M. Tisdale and the transfer of such to the said South Mobile Co., and so forth. I do not think that really belongs to a river and harbor bill. If so, is it properly safeguarded?

Mr. SPARKMAN. Why, I should think it is not in an improper place in the river and harbor bill. What was the other question? Was it whether it was sufficiently safeguarded?

Mr. MANN. Yes.

Mr. SPARKMAN. We considered this matter very carefully, both when it was before our committee and in the conference committee. We had it up before the House committee, but did not insert it in the bill.

Mr. MANN. That was the trouble. We had no chance to consider it in the House.

Mr. SPARKMAN. Afterwards it was inserted in the Senate. The conferees considered it very carefully, and it remained. We thought it sufficiently safeguarded.

Mr. TAYLOR of Alabama. Mr. Speaker, if the gentleman will permit me, I will try to answer the question. This was taken up in the Senate, and I was requested by the chairman of the Committee on Commerce to come over and give some information in regard to it, and I gave all the information I had. The bill was referred to the War Department, thoroughly sifted there, and reported back in the language it was thought proper to accomplish the legislation. Senator BURTON, of Ohio, then chairman of the River and Harbor Committee of the House, drafted the law as it was enacted in the river and harbor act of 1905.

As a member of the Senate committee the same gentleman considered the report from the War Department and redrafted it in the Senate committee. Every amendment suggested by him seemed to me proper and to fully protect the Government and the interests of commerce. I thought the item as it came from the Senate was sufficient. It appears the conferees of the House did not think so, and they amended it as it now appears in the conference report.

Now, for the gentleman's further information I will state this: The act of 1905 gave a franchise to Louis M. Tisdale and his assigns. He went to work dredging the channel. One of those storms that come sometimes over the Gulf washed away pretty much all the work which had been done. It was delayed perhaps a year; it may be longer. He started the work again, but before the time expired under the original limitation he was unable to go further.

A corporation was organized—I do not know the details of it—called the South Mobile Terminal Co., which was capable financially of carrying the work to a successful termination. And upon their recommendation, after the time seemed to have expired—my opinion is that under the original act the time had not expired—it was submitted to the War Department, and their legal adviser, the Judge Advocate General, gave it as his opinion it was quite a doubtful proposition, and advised that before the South Mobile Terminal Co. undertook to do anything the time had better be extended. My own opinion to-day is that there was nothing making it necessary to extend the time. There was nothing making it necessary to transfer it to the South Mobile Terminal Co., because the original franchise was given to Louis M. Tisdale and his assigns. The first law gave full authority for the assignment, but as there was some question about it the parties interested presented this item as you see it now to the Senate, after the river and harbor bill had passed the House at this session. And while it was being considered by

the Senate, as I have stated before, I was requested to come before the Senate committee and give them some information, which was about what I have given to the gentleman. I will say, further, that the Government improvement at Mobile is quite extensive. The channel at Mobile is 33 miles long; including the outer bar at Fort Morgan it is 40 miles long. It is very difficult to get further appropriation immediately around Mobile, because the main proposition absorbs the attention of the General Government. We could not expect to get a General Government appropriation for this proposition. I do not think it can possibly be furnished unless it is done through parties financially able to conduct it to a completion.

Mr. MANN. Now, if the gentleman will yield for a moment on that point—

Mr. SPARKMAN. Certainly.

Mr. MANN. In 1905 the House passed a river and harbor bill. It went to the Senate. The Senate inserted an item in regard to this, which was finally agreed to in conference. The House knew nothing about it and knows nothing about it to-day—

Mr. TAYLOR of Alabama. No; the gentleman misunderstands—

Mr. MANN. With the exception of the gentleman from Alabama, and possibly he—

Mr. TAYLOR of Alabama. No; you misunderstand.

Mr. MANN. I am stating facts of my own knowledge.

Mr. TAYLOR of Alabama. It was passed in 1905 through the House—the original bill.

Mr. MANN. It was inserted in the original river and harbor bill in the Senate in 1905.

Mr. TAYLOR of Alabama. I think not.

Mr. MANN. Well, I will take the gentleman's statement for it, but I think it was.

Mr. TAYLOR of Alabama. As I remember, Mr. BURTON was then chairman of the Committee on Rivers and Harbors, and he drafted the original bill and it was done in the House.

Mr. MANN. That may be the fact. But now it comes to the House in a proposition inserted in the Senate. We have a Unanimous-Consent Calendar in the House, and there is no difficulty about passing a bill concerning which there is no question. They have a rule in the Senate—Calendar Rule VIII—and under it there is no difficulty in passing a bill concerning which there is no question.

Here is a proposition to give a franchise to somebody to build a channel. Are they going to pay tolls for passing over or through this channel? Is there to be a charge for passing over this channel? Why is a private person or corporation building a channel to the sea, down there, unless there is to be a charge down there? I do not know whether there is to be a charge down there, or what it is, and no one else knows about it.

If the bill is proper, it could have been introduced here by the gentleman from Alabama and reported by the Committee on Rivers and Harbors and placed on the Unanimous-Consent Calendar and passed, or passed on the Private Calendar, without difficulty.

Mr. TAYLOR of Alabama. Will the gentleman allow me to interrupt him?

Mr. MANN. Yes, sir.

Mr. TAYLOR of Alabama. The bill was introduced by "the gentleman from Alabama," but it was not considered by the Committee on Rivers and Harbors. It was introduced by me last December.

Mr. MANN. Is the gentleman a member of the Committee on Rivers and Harbors?

Mr. TAYLOR of Alabama. Yes.

Mr. MANN. There is no doubt but that, if the bill had no question about it, the gentleman from Alabama could easily have had it reported by the committee of which he is a member. There is no doubt about that proposition.

Now, may I ask the gentleman a question in reference to another item?

Mr. SPARKMAN. Certainly.

Mr. MANN. What is the reason for inserting in a number of these appropriating items the language "which shall be considered extraordinary emergency work"?

Mr. SPARKMAN. There were two reasons for that. So far as I am concerned, I wanted to emphasize the fact that it is an emergency, so that it may not set a precedent on which other appropriations in the future can be predicated. Still other members of the conference committee, no doubt, had in mind the proposed and old enactments in regard to the hours of labor, and it was for the purpose of taking this class of work out of the eight-hour law. Whether the provision will have that effect I do not know, but, so far as I am concerned, it was done for the purpose of emphasizing the fact that the conditions pre-

sented an emergency, and that the appropriation was not to be considered as a precedent.

Mr. RANDELL of Louisiana. Mr. Speaker, will the gentleman allow me to make a further answer to that?

Mr. SPARKMAN. Yes; go ahead.

Mr. RANDELL of Louisiana. As a Representative from the region of the Mississippi River, where both of these items are made to apply, I wish to say that they are applicable solely to levee work. We passed an eight-hour bill, which was signed by the President last month, if I mistake not, under the specific terms of which levees are considered extraordinary emergency work and not subject to the terms of the eight-hour law. That bill does not go into effect until the 1st of January next. Now, levees are in every sense of the term different from every other kind of work that I am acquainted with. We have a great deal of rain on the lower Mississippi River. It rains there more than it does in most other places. We have never been able to devise any machinery entirely suitable for constructing levees. The levees are nearly all built with scrapers and mules. The season for building them is very limited. We are obliged to rush the work just as rapidly as we possibly can when we begin, and it is necessary to work long hours. It costs a great deal more if you have to do that work under the general eight-hour law, and it was to avoid that, to be entirely frank, that this clause was inserted, knowing that it had already been made a part of the general law, which, however, does not go into effect until the 1st of January next.

Let me say further that for many years levees have been considered extraordinary emergency works, and were so considered until a recent decision of the court declared that they were not emergency works, and then it was found necessary to legislate on the subject.

Mr. MANN. Then I understand the gentleman is quite desirous of having an eight-hour law apply at every place except where he himself happens to have interests?

Mr. RANDELL of Louisiana. Not at all, sir.

Mr. MANN. I will call the gentleman's attention to the fact that on Calendar Wednesday next the unfinished business of the House is a bill to apply the eight-hour law to all river and harbor work, drawn in such language as to include the Army officers and Army engineers and the Mississippi River Commission. If the gentleman is interested in that subject, he had better scan that bill.

Mr. RANDELL of Louisiana. I will be very glad to scan the bill.

Mr. MANN. Do I understand that all the levee work provided for in this bill, at least \$4,000,000 of it on the Mississippi River, is to be considered as outside the eight-hour law?

Mr. RANDELL of Louisiana. That is my understanding, and it was always considered outside the eight-hour provision until a recent decision of a Federal court.

Mr. MANN. Ordinary levee work is not extraordinary, and there is no more reason why the eight-hour law should not apply to that than why it should not apply to any other work.

Mr. RANDELL of Louisiana. If the gentleman were familiar with the facts, I think he would have a different opinion. Ordinary work is done where men are protected from the weather, where they can go in houses, where they are perhaps down in a mine, where they can go on with their work day after day. It is a physical impossibility to move dirt when it is wet, and after it rains you have got to wait several days before you can move any more of the dirt. It rains there very frequently, and you are compelled to take time by the forelock and rush that work tremendously, or you would never get it done.

Mr. MANN. That applies no more to levee work than it does when you are constructing the subbasement of a building or preparing to put the foundations in. It is not half as true of levee work as it was with reference to the foundations of the new post-office building over here by the Union Station. Yet we have to apply the eight-hour law to that. I believe in the eight-hour law myself, and I do not believe in evading it as soon as it is passed; and I call the attention of the country to the fact that just the moment the law is placed upon the statute books this House inserts a concealed provision which does not convey any idea of the eight-hour law for the purpose of evading the eight-hour law.

Mr. RANDELL of Louisiana. I call the gentleman's attention to the fact that the eight-hour law specifically exempts levees from its terms, and it does not go into effect until the 1st of January next, and that is why we put it in here and not with any attempt to evade the terms of the law. The gentleman must state it fairly. He ought not to state it unfairly, but he ought to state the facts.

Mr. MANN. If it is already specifically exempted, why do you put this in here to exempt it again?

Mr. RANDELL of Louisiana. Because under the terms of that law it does not go into effect until the 1st of January, and we propose this provision to cover the time between now and the 1st of January.

Mr. MANN. If the law does not go into effect until the 1st of January, why do you have to exempt this bill from the operations of it?

Mr. RANDELL of Louisiana. It seems hard for the gentleman to understand anything. I stated that for years we had been working—

Mr. MANN. I think I understand it—

Mr. RANDELL of Louisiana. Will the gentleman please let me talk a moment? I do not occupy the time of the House as often as the gentleman from Illinois does, and I should like to make this explanation. I said that for years and years—

Mr. MANN. I took the floor to ask a question, and the gentleman has been talking all the time ever since. I am quite willing he should proceed.

Mr. RANDELL of Louisiana. Very well; with the gentleman's kind permission I should like to answer his question.

Mr. SPARKMAN. The gentleman from Illinois has not the floor. I have the floor.

Mr. RANDELL of Louisiana. Will the gentleman from Florida allow me to make a brief answer?

Mr. SPARKMAN. Certainly.

Mr. RANDELL of Louisiana. The gentleman from Illinois seems trying to mix us up. I should like the House to understand that there was no necessity for a law of this kind until recently, because we built the levees without following the terms of the eight-hour law. We always considered levee building to be emergency work, and acting on that idea paid no attention to the eight-hour law until within a year or two—I forget the exact date—the question was raised in a United States court, and the court held that levee building was not extraordinary emergency work. Therefore, when the general eight-hour law was passed, which is now on the statute books, these levees were exempted from its terms; but as that law does not go into effect until the 1st of January next, it became necessary to make a special exemption in the case of the levee work that we propose to do under this present bill.

Mr. BUTLER. Work that is to be done in the meantime.

Mr. RANDELL of Louisiana. To take effect in the meantime. That is the only idea.

Mr. GREENE of Massachusetts. Will the gentleman yield to me?

Mr. SPARKMAN. Yes.

Mr. GREENE of Massachusetts. I was not present when the gentleman began his remarks on the bill, and I should like to inquire in regard to amendment No. 2 of the Senate, on page 2, lines 18 to 23. There was an amendment adopted in conference cutting down the amount from \$250,000, originally recommended by the engineers, to \$125,000 for the Pollock Rip Shoal. The report from the Board of Engineers was not received in time to have the original provision put in the bill when the matter was being considered by the House committee. As I understand it, there was no division of feeling in the House committee as to the importance of this work.

Mr. SPARKMAN. None whatever.

Mr. GREENE of Massachusetts. But the reduction was proposed for the reason that the Chief of Engineers thought it would not be practicable to spend more than \$125,000 the present year.

Mr. SPARKMAN. That was the reason it was reduced; yes.

Mr. GREENE of Massachusetts. I wanted to have that clearly understood, because there were a very large number of mariners and men engaged in the coastwise trade who were very much interested in this improvement, which had been considered for a great many years, but was not recommended by the Board of Engineers on the ground that it was impracticable. Yet after a full consideration with a survey it was found to be a very practicable project, and it was thought that \$250,000 would not be too great a sum to be provided for commencing the work.

Mr. SPARKMAN. I think it is a very worthy project. We really gave a little more than the engineers said they could spend. They said they could only spend \$100,000, but we placed the amount at \$125,000.

Mr. GREENE of Massachusetts. But the intention is to use this to begin the work, and as I understand the project has the approval of the committee, so that it may be expected, after this sum is expended, this project may be continued further?

Mr. SPARKMAN. It can be continued from year to year in the river and harbor bill.

Mr. GREENE of Massachusetts. I assume it will be if the work shows that the improvement is worthy of extension.

Mr. SPARKMAN. Yes.

Mr. BUTLER. Mr. Speaker, will the gentleman yield?

Mr. SPARKMAN. Yes; certainly.

Mr. BUTLER. The appropriation in this bill is \$6,000,000 for the use of the Mississippi River, for that one purpose alone of building and constructing levees.

Mr. SPARKMAN. No; that is a mistake. Four million dollars are appropriated for the purpose of constructing levees, expressly provided in this bill, and there are \$2,000,000 beyond that, most of which is to be used for revetment work, but some for open channel work.

Mr. BUTLER. Is there a mistake in the print?

Mr. SPARKMAN. No.

Mr. BUTLER. I have it here, Mississippi River, House item, increased from \$3,500,000 to \$6,000,000. How much of the appropriation is to be used for the construction of levees?

Mr. SPARKMAN. The gentleman will find further down in the bill a statement that in view of the existing emergency \$4,000,000 of money hereby appropriated is set apart for the construction and repair of levees.

Mr. BUTLER. That is a Senate amendment?

Mr. SPARKMAN. Yes.

Mr. BUTLER. How much money have we been appropriating heretofore for the construction of levees on the Mississippi River each year?

Mr. SPARKMAN. It is usually put in a lump sum, and a good deal of it has gone for revetment work, while some of it has been used for the construction of levees. I do not know just how much, but about \$130,000, I believe, was used for that purpose last year.

Mr. BUTLER. The construction of levees is not a departure from the practice heretofore observed in making these appropriations?

Mr. SPARKMAN. Not at all.

Mr. BUTLER. We have always appropriated for the construction of the levees. Do the States make appropriations for the construction of levees along the river?

Mr. SPARKMAN. They have been doing so, and quite liberally.

Mr. BUTLER. This is simply the Government portion of the construction?

Mr. SPARKMAN. Yes.

Mr. BUTLER. There has been a statement made in the newspapers with respect to a change about to be made in the policy of the Government relative to the construction of these levees; that is, the policy of Congress in its treatment of the river is to be in some way altered or amended. Can the gentleman give me some explanation of that?

Mr. SPARKMAN. I know of no such contemplated change of policy. It was the intention of the engineers and of the Mississippi River Commission, so I am advised, to get away as much as possible from levee building. It appears that the project for that class of work had been very nearly completed, so that it would not have required much more money to complete, but these recent floods coming along makes an emergency, as is stated in the bill, and we appropriated and set apart a larger sum for that purpose than we at first intended to do or would otherwise have done.

Mr. BUTLER. This is not all an emergency appropriation?

Mr. SPARKMAN. Four million dollars of it is.

Mr. BUTLER. Just one question more. Is it possible to estimate how much money will be required to construct these levees along the Mississippi River so as to protect the surrounding country from floods?

Mr. SPARKMAN. Oh, no; that can not be estimated now. I suppose the engineers could do that, but it has not yet been done.

Mr. BUTLER. The engineers then have never been asked to make an estimate.

Mr. SPARKMAN. They have estimated, or the Mississippi River Commission has, and have outlined a certain project, which is nearly completed.

Mr. RANDELL of Louisiana. Mr. Speaker, I will say to the gentleman from Pennsylvania that in my own time I will explain that.

Mr. GREGG of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. SPARKMAN. Yes.

Mr. GREGG of Pennsylvania. Mr. Speaker, in the rivers and harbors bill, as it originally passed the House, there was an appropriation of \$75,000 made for continuing the improvement upon the Youghiogheny River in Pennsylvania. In the Sixty-first Congress an appropriation of \$100,000 was made, I believe, for improvements on that river. Work has been started in accordance with the appropriation that was made. Will the

conferees explain to the House why that appropriation was permitted to be dropped from this conference report, in view of the fact that the Government has already expended \$100,000, or has appropriated that much and is expending some of that amount? Why did the conferees agree to have that amount stricken from the original appropriation?

Mr. SPARKMAN. For the reason that it did not seem practicable to have the Senate conferees agree with us, I will say to the gentleman that this item, as he has correctly stated, was placed in the House bill by the Rivers and Harbors Committee, and the bill passed the House with the item in it, but the Senate struck it out; and we for a long time refused to recede from our disagreement to the Senate's action. It went on for weeks; yes, months.

Mr. RANDELL of Louisiana. For two months.

Mr. SPARKMAN. Two months from the first meeting of the conferees, before we finally agreed upon the bill, and that item was the very last that was considered by the conference committee.

It was the earnest desire of the conferees on the part of the House to have that item restored to the bill, but the Senate conferees did not agree to our views and request. It was contended that it lacked merit, and that further appropriation should not be made for it, at least not at this time. I did not agree with them about that, but it seemed necessary to yield to the views of the Senate conferees, else we would have spun out still further the conference deliberations, a thing not desirable, as the various works throughout the country had begun to suffer.

Mr. GREGG of Pennsylvania. Does the gentleman think it is a wise public policy to appropriate \$100,000 at one session of Congress and at the next to refuse to appropriate anything at all?

Mr. SPARKMAN. No; perhaps not. I think myself that the appropriations ought to be continued and the work completed, and I think it likely that in the next bill we will take care of it.

I will say further that its omission now was through no neglect on the part of the gentleman from Pennsylvania [Mr. Gregg], because in season and out of season he has been insisting upon that provision in the bill—even a larger appropriation—but we have done the best we could without unduly prolonging the deliberations of the conference committee.

Mr. GREGG of Pennsylvania. What was the reason assigned for the refusal? What reason was assigned for this other than the refusal of the Senate conferees to accept it?

Mr. SPARKMAN. That is a pretty big reason.

Mr. GREGG of Pennsylvania. I think the Members of the House are entitled to know what the reason is.

Mr. SPARKMAN. I stated that they said the project was not, in their judgment, a worthy project, or as worthy as the others in the bill.

Mr. GREGG of Pennsylvania. Had not that question been adjudicated before?

Mr. SPARKMAN. Yes; but they have the right to reopen it at any time, so far as that is concerned. The gentleman will soon have an opportunity to bring it up again.

Mr. Speaker, I wish to congratulate the country and its commercial interest on the fact that we are now so near the final stages to the passage of this bill through Congress and its enactment into law. It may not be the best measure of the kind that ever became a law, but I do claim that it will compare favorably with any of them. It meets, I think, all requirements, and is the third in the series of annual bills commenced when we embarked upon that policy a little more than two years ago, a policy now, I hope and believe, firmly established and one from which we should not seek to depart. Under this policy, pursued as we are now pursuing it, only a few more years will elapse before we will see all our river and harbor improvements carried to completion, the whole constituting a system of navigable waterways better by far than that possessed by any other country in the world.

The SPEAKER. The question is—

Mr. RANDELL of Louisiana. Mr. Speaker, I want to be heard before a vote is taken upon this bill.

The SPEAKER. The gentleman from Florida has five minutes remaining.

Mr. SPARKMAN. I yield to the gentleman from California [Mr. Knowland].

Mr. KNOWLAND. Mr. Speaker, I desire to take advantage of this opportunity, when the conference report on the river and harbor bill is before the House, to submit some remarks showing the wonderful development of the commerce of Oakland Harbor, Cal., since the first Government appropriation was made, in 1874, and to direct attention to the enterprise being displayed

by the municipality of Oakland, which is expending in harbor improvement at the present time \$2,500,000, this being but the beginning of a comprehensive plan that will require the ultimate expenditure of many additional millions.

The House conferees have wisely agreed to accept the amendment of the Senate adding \$30,000 to the \$100,000 carried for Oakland Harbor when the bill left the House. On February 1 of this year there was an unexpended balance to the credit of the Oakland Harbor improvement of \$303,937.47. Existing contracts now cover this amount, which, with the \$130,000 carried in the present bill added, will make a grand total of \$433,937.47 to be expended by the Federal Government on Oakland Harbor during the present year and up to March 4 of next year, when another river and harbor bill will have become a law, providing an additional appropriation.

In view of the large unexpended balance available for Oakland Harbor when I appeared before the members of the River and Harbor Committee during the present session, which large balance prevented any estimates from being submitted by the War Department, I felt particularly gratified that the committee responded to my appeal for an appropriation, thus recognizing what the city of Oakland itself was doing, and realizing the necessity of placing this important port in readiness for the increased commerce anticipated with the opening of the Panama Canal.

The committee likewise granted my request for a resurvey of the harbor looking to the adoption of a new and enlarged project calling for increased depths and greater widths necessary to enable the port to keep pace with the recent rapid growth of Oakland and vicinity—a locality destined to become one of the chief shipping centers of the Pacific coast. The last survey was made as the result of an authorization contained in the river and harbor act of 1908. As a result of that survey the local engineer then in charge, Lieut. Col. John Biddle, recommended the project now under way, which provides for a channel 30 feet deep and 500 feet wide from the bay to the tidal basin, and 25 feet deep and 300 feet wide around the basin, with a depth of 18 feet through the tidal canal.

The Board of Engineers for Rivers and Harbors, located at Washington, disapproved this recommendation in December, 1909. A hearing was obtained before this board, the result of which is set forth in the following telegram to Mayor Frank K. Mott, of Oakland, who, with the chamber of commerce, furnished Oakland's representatives in Congress with much valuable data for use before the board:

WASHINGTON, D. C., January 31, 1910.

MAYOR FRANK K. MOTT, Oakland, Cal.:

Pleased to report that River and Harbor Board of Engineers, as result of hearing last Monday, have reversed their action and indorsed recommendation of Col. Biddle for improvement of Oakland Harbor. This action is rather unusual and can be regarded as great victory. Report must be approved by Chief of Engineers, but think there is little doubt of his approval. Fight will now be taken up with River and Harbor Committee of Congress.

J. R. KNOWLAND.

Since I became a Member of this body, in December, 1904, Congress has appropriated for Oakland Harbor, including the amount carried in the present bill, a total of \$1,263,203. This amount is larger by nearly \$400,000 than that appropriated for any corresponding period in the history of the improvement. During these eight years Congress has provided for two new surveys. Beginning with 1874, when the Government began the improvement, a grand total of \$3,963,803 has been provided by Congress.

Oakland Harbor was developed from what was known prior to 1874 as San Antonio Creek, which waterway had a depth of but 2 feet at low tide, with a tidal range of about 5 feet. The commerce was then insignificant, amounting annually to but 154,300 tons, but has steadily increased with the development of the harbor until to-day the annual freight traffic amounts to over three and a half million short tons, with a total valuation of \$138,059,278.

The three principal harbors of California which the Government is improving—which does not include San Francisco Harbor, because no Government project is under way—are Oakland, Los Angeles (formerly San Pedro and Wilmington Harbors), and the harbor at San Diego. The official commercial statistics for these three harbors, contained in the report of the Chief of Engineers for 1911, show that for San Diego Harbor the freight traffic amounted to 398,048 short tons, valued at \$22,591,487; and for Los Angeles Harbor 1,709,294 tons, valued at \$47,040,588; while Oakland Harbor, as already stated, is credited with 3,575,371 tons, valued at \$138,059,278.

When the present river and harbor bill was pending in the House I took occasion to look up the commerce of the various harbors for which appropriations were carried, and found only

eight where the commerce exceeded in actual tons that of Oakland Harbor.

Few localities have displayed a more generous spirit in co-operating with the Federal Government in the matter of harbor improvements. Mayor Frank K. Mott, of Oakland, under whose progressive administration the city has more rapidly advanced than during any similar period in its history, has, from the day he assumed office, demonstrated that he possessed a keen appreciation of the value of Oakland's water front, recognizing it as one of the city's chief assets.

After years of litigation the city finally, through court decisions, legislative acts, and favorable compromises, regained control of substantially its entire water front, which had been under railroad control as the result of unfortunate grants made to a private individual by the town of Oakland in the early fifties and later transferred to a railroad corporation. The water-front improvements now under way by Oakland are as follows:

First. The building of a first-class reinforced concrete wharf at the foot of Livingston Street, which is in the vicinity of the California Cotton Mills. This improvement will cost about \$175,000.

Second. The building of a quay wall on the estuary extending from Myrtle Street to Broadway, 3,700 feet in length. It is to be built of concrete and equipped with railway tracks, steel warehouse buildings, and machinery for the rapid loading and unloading of vessels. This improvement also consists of dredging between the quay wall and the Government channel to a depth of 30 feet, which will equal the depth of the channel now being dredged by the Government. This work, it is estimated, will cost, with the purchase of some land, about \$1,800,000.

Third. The building of a retaining wall across what is known as the Key Route Basin, on the western water front, and the dredging of the area outside thereof and the reclaiming of the land inside the wall. This improvement is to be quite an extensive one, and is already partially provided for in the present appropriation, about \$500,000 having been set aside for the commencement of the work. When the new survey of Oakland Harbor is made, as provided for in this bill, I shall cooperate with Mayor Mott in an effort to induce the Government to include the Key Route Basin in the new Oakland Harbor project and share at least a part of the cost of this improvement.

A belt-railway system is also planned to extend around the entire city front, connecting with every railway that enters the city and also with every wharf, with spurs leading to the various manufacturing plants. There are at present over 1,500 factories located in proximity to the water front, which contains 27 miles of shore line.

The city of Alameda, also located upon this harbor, is awakening to its importance, and Mayor W. H. Noy, who never misses an opportunity to advance the city's interests, has appointed a board of harbor commissioners. In the near future this city will undoubtedly improve the water-front property to which the city has title.

The improvement of Oakland Harbor should be pushed as rapidly as possible. Advantageously located on the continental side of San Francisco Bay, where car and ship can meet, the termini of three transcontinental railroads, Oakland has a wonderful future and will fully utilize all her harbor facilities. The day for the opening of the Panama Canal is rapidly approaching. Now that the House has decided that American ships in the coastwise trade shall be granted free tolls, the result of a fight which was started at a meeting of Pacific coast commercial bodies called at my suggestion in San Francisco in October last, and which fight I continued before the House committee and upon the floor, the commercial importance of the canal to every Pacific coast port has increased, and Oakland intends to hold itself in readiness to make the most of its opportunities, for no locality will offer greater facilities to the shipping of the world.

Mr. GREENE of Massachusetts. Mr. Speaker, since becoming a Member of this House my attention has been called with great frequency by those who are owners of a large percentage of the vessels, steamers, and barges engaged in the coastwise trade on the Atlantic coast, and I have been importuned also by masters of these vessels used in the trade and the Association of Masters, Mates, and Pilots to obtain, if possible, a deeper and more direct channel across Pollock Rip Shoals and to secure, if possible, a removal of a portion of Stone Horse and Bearse Shoals, in Nantucket Sound, along the southern shore of Cape Cod.

Year after year the United States engineers failed to consider or reported unfavorably upon the project without making an examination of the same. I did not become disheartened, although to meet so many rebuffs from official sources was

somewhat discouraging, but in each succeeding Congress I reintroduced and presented bills embodying this improvement, and finally these efforts have been rewarded by the appropriation contained in this bill.

By the active cooperation of the maritime interests of the Atlantic coast and continued presentation of the subject to the Board of Engineers for Rivers and Harbors hearings were held and such important facts were developed that the said board recommended that the sum of \$250,000 be expended for the purpose of determining whether it would be possible, by placing a steam dredge in Nantucket Sound, to remove the sand bars which from time immemorial have obstructed this great natural water highway of commerce.

A preliminary examination having been made in accordance with the provisions of the river and harbor act of March 3, 1909, it was revealed that by the action of the numberless steamers and large swift sailing craft a natural channel improving the existing waterway had been produced, and this fact led to the belief that the improvement sought was worthy of further exploitation. At the time the subject was considered by the Committee on Commerce of the Senate (the report from the engineer board not being received at the time the river and harbor bill was considered by the Committee on Rivers and Harbors of the House of Representatives), the sum of \$250,000 was provided by an amendment to the river and harbor bill as proposed and adopted in the Senate.

Subsequently, owing to the short time to elapse before another river and harbor bill will be presented, it was agreed in conference that not more than \$125,000 could be expended the present year, and the amendment reducing the amount to \$125,000 has been agreed too. The project has received the hearty indorsement of both branches of Congress, and if the amount provided in the present bill demonstrates the importance of the undertaking and develops the benefits to be derived from the improvement I believe the great maritime interests involved may rest assured that ample provision will be made in the next river and harbor bill for a continuance of the work, and that it will be made a continuing project until the improvement shall be finally consummated. I submit herewith official communications and statements bearing upon the subject, which I believe will be of interest:

[House Document No. 536, Sixty-second Congress, second session.]

NANTUCKET SOUND, MASS.

Letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports of preliminary examination and survey of Nantucket Sound, Mass.:

WAR DEPARTMENT,
Washington, February 12, 1912.

Sir: I have the honor to transmit herewith a letter from the Chief of Engineers, United States Army, dated 10th instant, together with copies of reports from Lieut. Col. J. C. Sanford, Corps of Engineers, and a special board of engineer officers, dated November 16, 1909, and November 21, 1911, with maps, on preliminary examination and survey, respectively, of Nantucket Sound, Mass., made in compliance with the provisions of the river and harbor act of March 3, 1909.

Very respectfully,

H. L. STIMSON, Secretary of War.

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, February 10, 1912.

Sir: I have the honor to submit herewith for transmission to Congress, reports dated November 16, 1909, by Lieut. Col. J. C. Sanford, Corps of Engineers, and November 21, 1911, with maps, by a special board of engineer officers, on preliminary examination and survey, respectively, prepared in compliance with a provision of the river and harbor act of March 3, 1909, as follows:

"Nantucket Sound [Mass.], with a view to the removal of the northerly end of Stone Horse Shoal and of such portions of Bearse Shoal and Pollock Rip Shoal as may be necessary."

The improvement desired by navigation interests, and in which much interest has been manifested, and which will be of unusually great value to navigation if secured, is a straight channel not less than 1 mile wide and 30 feet deep at low water from the Handkerchief Light Vessel, about 5½ miles southwest of Monomoy Lighthouse, extending northeastward to the whistling buoy near the present northern entrance to the Pollock Rip Slough, to replace the present crooked and in places narrow and dangerous Pollock Rip Channel.

Because of the mobile character of the material on the bottom and the exposed location of the channel it has been impracticable to make at this time a reliable estimate of cost of the desired improvement. Noting that one or more Government-owned dredges adapted to this class of work will probably be available within the next year or so, the board suggests the use of such plant in affording relief at dangerous localities, particularly in the vicinity of Shovelful Lightship, where any widening of the channel will be immediately beneficial to commerce. From such a practical test the most advantageous and economical methods of carrying out the work desired, as well as its probable cost, can be more definitely determined. The board recommends for such a test an appropriation of \$250,000, and considers that after such work has been done as can be done for that sum the advisability of further work should receive consideration, and that the fact should be made plain in the act of appropriation that the United States is not committed to a continuance of the improvement beyond such test.

These reports have been referred, as required by law, to the Board of Engineers for Rivers and Harbors, and attention is invited to that board's report herewith, dated December 19, 1911, concurring in the views of the special board.

After due consideration of the above-mentioned reports I concur in the views of the special board and the Board of Engineers for Rivers and Harbors, and therefore in carrying out the instructions of Congress I report as follows: That the improvement by the United States of the north or Pollock Rip Channel through the shoals lying near the entrance to Nantucket Sound, by the use of an available Government-owned plant under a single cash appropriation of \$250,000, is advisable in order to enable a more definite determination to be made as to what amount of additional work of improvement is advisable. It is also considered advisable that the act of appropriation should make clear the fact that this improvement is only in the nature of a test, upon the results of which the extent of improvement justified is to be determined.

The vicinity of the proposed work is shown on Coast and Geodetic Survey Chart No. 111.

Very respectfully,

W. H. BIXBY,

Chief of Engineers, United States Army.

The SECRETARY OF WAR.

PRELIMINARY EXAMINATION OF NANTUCKET SOUND, MASS.

WAR DEPARTMENT,

UNITED STATES ENGINEER OFFICE,

Newport, R. I., November 16, 1909.

SIR: In compliance with department instructions dated March 9, 1909, I have the honor to submit the following report on the preliminary examination of the following locality, as required by the river and harbor act of March 3, 1909: "Nantucket Sound [Mass.], with a view to the removal of the northerly end of Stone Horse Shoal and of such portions of Bearse Shoal and of Pollock Rip Shoal as may be necessary."

The numerous and extensive shoals lying eastward and southeastward of the eastern entrance to Nantucket Sound and southward and eastward of the southeasterly elbow of Cape Cod, constitute probably the greatest danger to navigation to be found on any of the coastwise routes of the Atlantic coast of the United States north of Hatteras. In view of the numerous vessels passing around these shoals they are probably a greater menace to navigation than Hatteras. Their dangerous character is shown both by the large number of wrecks annually occurring there and by the large number of light vessels and other aids to navigators traversing the shoals.

From Nantucket Sound to the ocean two channels lead through the shoals. The north or Pollock Rip Channel is the most used, as it is shorter, is somewhat protected from easterly storms by the shoals outside it, and is closer to the shore; but it is quite circuitous and narrow in places and the tidal currents are strong and varying in direction. The second or south channel leads through the shoals in a nearly due east direction from Nantucket (Great Point) Lighthouse. It is somewhat deeper than the Pollock Rip Channel and much wider, but is not so direct for coastwise vessels and carries a vessel much farther from the shore. This channel is considered in the United States Coast Pilot for the Atlantic coast as the dividing line between Nantucket and Monomoy Shoals, the shoals lying to the northward of the channel being called the Monomoy Shoals, while those to the southward are called the Nantucket Shoals. The following description of the Monomoy Shoals in general, and of the shoals particularly named in the river and harbor act, with others lying along the course of the proposed improvement, is taken from the above publication:

"Monomoy Shoals consist of numerous detached shoals of a shifting character with 3 to 18 feet over them, extending about 5½ miles in an easterly and 9½ miles in a southerly and south-southeasterly direction from Monomoy Point. Many parts of these shoals, separated from others by narrow sloughs, have special names and are briefly described below.

"Bearse Shoal is the western and Pollock Rip the eastern part of the shoal extending from three-eighths mile to 3½ miles eastward of Monomoy Lighthouse. These shoals consist of a series of sand shoals and sand ridges, with 4 to 18 feet over them and deep water between them. The northeastern and southeastern extremities of these shoals lie 4 miles and 3½ miles ENE. ½ E. and SE. by E. ½ E., respectively, from Monomoy Point Lighthouse.

"Broken Part of Pollock Rip, with depths of 15 to 18 feet over it, lies eastward of Pollock Rip, and is separated from it by Pollock Rip Slough, which has a width of about one-half mile and depth of 3½ to 6 fathoms.

"Twelve Foot Shoal, southward of the broken part of Pollock Rip, has 14 to 18 feet over it and lies 5½ miles SE. ½ E. from Monomoy Lighthouse.

"Stone Horse Shoal, Little Round Shoal, and Great Round Shoal are portions of a continuous series of sand shoals and sand ridges with depths of 5 to 18 feet over them lying directly eastward of the entrance of Nantucket Sound and between the two main channels. Stone Horse Shoal and Little Round Shoal lie on the south side of the deep-water channel between them and Pollock Rip. Great Round Shoal lies from 6 to 9½ miles in SSE. direction from Monomoy Point Lighthouse; southward and eastward of this shoal for a distance of about 2½ miles there are numerous shoal spots with depths varying from 17 to 18 feet over them.

"Shovelful Shoal, extending three-fourths mile southward from Monomoy Point, is bare in places and rises abruptly from the deep waters of Butlers Hole.

"Handkerchief Shoal is the extensive shoal, with from 3 to 18 feet over it, lying southwestward of Monomoy Point. It is about 4½ miles long north and south, and its greatest width is about 2 miles. Its southern end, which rises abruptly from a depth of 6 fathoms to 10 feet, is about one-half mile northward of Handkerchief Shoal Light Vessel and 5½ miles SW. ¾ W. from Monomoy Point Lighthouse, and is marked by a buoy (red, No. 10). Its northern end rising gradually from 3½ fathoms to 15 feet, lies about 3 miles WNW. ½ W. from Monomoy Point Lighthouse, and is marked by a buoy (spar, black, No. 3). On the eastern edge of the shoal are three buoys, which mark the edge of the narrow channel between it and Shovelful Shoal and Monomoy Point."

No previous preliminary examination of this locality with a view to its improvement has ever been made.

What is desired by those interested in the improvement is the replacement of the present north channel by a straight channel extending from the Handkerchief Shoal Light Vessel in an east-northeasterly direction to the northeast whistling buoy, which lies northerly of the present northern entrance to the Pollock Rip Slough Channel, as shown on a small chart issued by the American Association of Masters, Mates,

and Pilots, Volunteer Harbor, No. 4, with printed description and arguments. The width shown on the above-named chart is seven-eighths of a nautical mile, and the depth desired is stated to be not less than 25 feet at mean low water. The present course eastward from the Handkerchief Light Vessel is NE. by E. ¾ E. to the Shovelful Shoal Light Vessel about 5 nautical miles; thence ESE. ¾ E. to the Pollock Rip Light Vessel about 3½ miles; thence N. by E. ¾ E. to Pollock Rip Shoal Light Vessel 4½ miles, passing at a distance of about 2½ miles the northeast whistling buoy. The angles in the course at the Shovelful Light Vessel and the Pollock Rip Light Vessel are about 56° 15' and 95° 37½', respectively.

The arguments presented for the proposed improvement are many, being based mainly upon the large amount of commerce traversing the locality, the dangers to which this commerce is exposed, and the lessening of these dangers by the proposed channel, and upon the belief that the channel could be dug and maintained at a comparatively small expense, in view of the great improvements made in recent years in dredging on ocean bars, and particularly the small cost per cubic yard of the dredging now being done in the Ambrose Channel, N. Y. Each of these subjects will be examined in turn.

PRESENT AND PROSPECTIVE COMMERCE.

As it is not considered safe for vessels drawing more than about 21 feet to attempt to pass through the north passage, such vessels are now obliged to take the south channel, but Nantucket Sound can not be easily traversed by vessels having a greater draft than 27 feet (see Atlantic Coast Pilot, pt. 3, p. 84), and it is not thought that vessels drawing upward of 25 feet often pass through the sound. For this reason it is believed that with the construction of the proposed channel the present south channel would be very little used. Hence, the statistics of both channels are taken together as indicating the probable amount of use of the proposed channel in case no other artificial channels between Boston and Long Island Sound were constructed.

The Board of Engineers appointed under the river and harbor act of June 13, 1902, to make an examination of the relative merits for harbors of refuge for all proposed or available localities on the south and southeast coast of Rhode Island and Massachusetts stated in their report, dated December 2, 1903 (printed in H. Doc. No. 60, 58th Cong., 2d sess.), that—

"The number of vessels following the route through Vineyard and Nantucket Sounds and along the eastern shore of Cape Cod is estimated to be annually upward of 50,000.

"Practically all of this commerce passes Cape Cod."

The number of vessels now passing the Cape, however, is believed to be considerably less than this, though the average tonnage is constantly increasing. Reports of the keepers of the Pollock Rip Shoals Light Vessel of the Great Round Shoal Light Vessel, and of the Shovelful Shoal Light Vessel, kindly furnished me by Capt. W. G. Cutler, United States Navy, inspector second lighthouse district, indicate that the total number of vessels of all kinds passing the shoals by both passages in the year August 1, 1908, to July 31, 1909, was 22,841, of which 3,638 were steamers, 3,291 tugs, 8,907 sailing vessels, and 7,005 barges. Comparing these figures with the statistics for Boston Harbor for the calendar year 1907, it would appear that a considerable portion of the sailing vessels given are fishing vessels. The arrival and departure of coastwise vessels at Boston in that year (printed in Annual Report of the Chief of Engineers for 1908, pt. 1, p. 958) are as follows:

Class.	Number.	Gross tonnage.	Average tonnage.
Steamers.....	4,496	9,954,864	2,214
Sailing vessels¹.....	2,918	2,432,250	834
Tugs.....	4,606	1,398,230	304
Barges.....	7,212	6,737,604	934
Total.....	19,232	20,522,948

¹ Excluding fishing vessels.

It will be noted from this table that the total number of tugs and barges is about four times that of sailing vessels. Comparing these figures with those of former years, the change in proportion of the different classes of vessels is noteworthy. In 1902 steamers comprised 20.5 per cent; tugs, 18 per cent; sailing vessels, 24 per cent; and barges, 37.5 per cent. In 1906 the steamers comprised 20.3 per cent; tugs, 20.6 per cent; sailing vessels, 15.8 per cent; and barges, 43.3 per cent. The above figures for 1907 show steamers, 23.4 per cent; tugs, 23.9 per cent; sailing vessels, 15.2 per cent; and barges, 37.5 per cent. A comparison of cargo carried by water to Boston in 1899 and 1905, made by Mr. William Barclay Parsons, chief engineer of the Boston, Cape Cod & New York Canal Co., shows that of the total tonnage carried to Boston in 1899, 53.9 per cent went in steamers and exactly the same in 1905; but, while barges carried but 21.1 per cent in 1899, they carried 31.3 per cent in 1905, and the sailing-vessel tonnage, which accounted for 25 per cent of the whole in the first year, had fallen to 14.8 per cent in the second.

The total amount of cargo passing through the shoals can only be approximated. In 1907 it was estimated by Mr. Parsons that it amounted to 12,000,000 tons of coal and 6,000,000 tons of other commodities. During the same year the total receipts of coal at all New England ports north of Cape Cod which were under improvement by the Government, and which included all ports of importance, amounted to 9,812,911 tons (of 2,000 pounds), all of which, it is believed, passed through these shoals. Definite figures as to other commodities do not exist, but it is believed that 6,000,000 tons is a fair estimate.

The future amount of commerce using this route is largely dependent upon the effect of the construction of new artificial routes for the purpose of enabling the passage around Cape Cod to be avoided. One of these, the Cape Cod Ship Canal, is now under construction, and it is expected by the company constructing it that it will be completed in about three years. Another is the proposed inland waterway between Boston and Long Island Sound via Narragansett Bay and an inland route in southern Rhode Island, for which a survey and estimate are ordered by the river and harbor act of March 3, 1909. It is the expectation of the Boston, Cape Cod & New York Canal Co. that on the completion of their canal all coastwise steamers, tugs, and barges will use the canal instead of passing around the Cape, and that sailing vessels will also use it under certain weather conditions. This expectation, so far as steam vessels and barges are concerned, appears

to be justifiable, provided sufficiently low rates of toll on the canal are fixed. As to sailing vessels, what the effect will be is somewhat problematical. As the canal will shorten the distance between New York and Boston about 67 miles, there is some question whether, on the completion of the canal, sailing vessels will be able to continue their competition in the carrying of coal with tugs and barges, and this will depend largely on whether the tolls are fixed close to the maximum amount that tugs and barges can afford to pay or whether they are made much lower. In any case it is fair to assume that after the completion of the canal the total traffic around Cape Cod will be, in a marked degree, reduced. The effect of the construction of an intra-coastal waterway from Boston to New York via Narragansett Bay would be to induce the substitution of lighter barges, more cheaply built and operated, and suited only to inland navigation, for the expensive seagoing barges necessary for navigation around Cape Cod or via the Cape Cod Canal, and the development of the inland route would reduce somewhat proportionately the present coastwise commerce carried on in sailing vessels.

DANGERS TO NAVIGATION.

The dangers to which navigation is exposed in Vineyard and Nantucket Sounds and in passing through the Monomoy Shoals are indicated by the following quotations from the Atlantic Coast Pilot:

"The numerous shoals, strong tidal currents, at certain seasons thick fog, and the large number of sailing vessels there are often encountered beating through the narrow parts of the channel, call for more than the ordinary attention of the navigator. The strongest currents will be encountered in Pollock Rip Slough, between the Handkerchief and Pollock Rip Light Vessels, off East and West Chops, and in Vineyard Sound. In some cases the current sets directly on the shoals and, in a calm, sailing vessels are sometimes obliged to anchor to prevent getting aground."

Statistics as to wrecks which have been removed by the Government give a very good idea as to the dangerous character of the shoals and as to the causes of shipwreck.

Between 1885 and June 30, 1909, 154 wrecks were removed by this office. They consisted of 8 steamers, 2 barkentines, 1 brig, 110 schooners, 19 barges, and 21 unknown. The unknown vessels were large pieces of wreckage forming obstructions, but so far broken up as to have lost their identity. Of the 154 wrecks, 54 were from the Monomoy Shoals (north passage) and are classified as follows: Five steamers, 1 barkentine, 40 schooners, 7 barges, and 1 unknown.

The causes of the 154 wrecks were: Collisions, 35; struck shoals and sank, 19; driven ashore or foundered in gales, 40; burned, 9; unknown causes, 51. The causes of the 54 wrecks on Monomoy Shoals (north passage) were: Collisions, 19; struck shoals and sank, 13; gales, 10; burned, 1; unknown causes, 11.

Between the years 1880 and 1903 there are records in this office of 188 marine disasters on the Monomoy Shoals (north passage), not always, however, resulting in complete loss.

The 188 were: One ship, 2 brigs, 2 barkentines, 169 schooners, 2 sloops, 2 steamships, 1 steam yacht, 2 schooner yachts, 7 barges. Of the 154 wrecks removed, only 1 was in the south passage between Monomoy and Nantucket Shoals.

The length of that portion of the principal sailing route from New York to Boston or near which the above 154 wrecks were removed is 98½ miles, and the length of the north passage through Monomoy Shoals is 13½ miles, the latter length being 13½ per cent of the total length. The percentage of wrecks removed in the north passage is, however, 35. Since June 30, 1909, 4 additional wrecks, consisting of 2 schooners and 2 barges, have been removed or reported for removal. The two schooners were wrecked in Vineyard Sound and Nantucket Sound, respectively, due to striking shoals. The two barges were wrecked on Monomoy Shoals, one of these being caused by collision with a steamer and one by striking on a newly formed and unmarked shoal.

The main dangers of passing through the Monomoy Shoals by the present north passage, and which the proposed improvement, it is claimed, would lessen, are due principally to the following, taken in connection with the great number of vessels passing: Narrowness and tortuousness of the channel, fog, tidal currents, adverse winds.

Narrowness and tortuousness of channel.—The present channel from the Handkerchief Shoal Light Vessel to the northeast whistling buoy on the three courses above described varies greatly in the different parts with regard to the width and depth. The narrowest part of the section from the Handkerchief Shoal Light Vessel to the Shovel Shoal Light Vessel for a depth of 21 feet is about 3,600 feet near its northeastern end, while at the southwestern end there is practically no limit to its width on the southeastern side, the Handkerchief Shoal approaching it closely, however, on the northwestern side. On the course from the Shovel Shoal Light Vessel to Pollock Rip Light Vessel the minimum width for 21 feet depth is 3,600 feet and the average width about 5,700 feet. For the section through Pollock Rip Slue from Pollock Rip Light Vessel to the northeast whistling buoy the minimum width for 21 feet depth is about 2,000 feet and the average width 3,200 feet. At the northern entrance of Pollock Rip Slue the shoal on the east, known as the broken part of Pollock Rip, has within the past year been found to have advanced in a marked degree westwardly, so that the bell and gas buoys marking the entrance have had to be moved 1,200 feet to the west, thus placing them practically on the sailing course.

The most dangerous points in the sailing course appear to be the turn at the Pollock Rip Light Vessel and the narrow passage through Pollock Rip Slue. So far as straightness is concerned, the proposed channel would be a marked improvement on the present one, largely diminishing the chances of collision in the narrow channels and at the turns.

Fogs.—The statement is made by the American Association of Masters, Mates, and Pilots, Volunteer Harbor No. 4, that fogs are more prevalent here than on any other part of our coast. It has been impossible for me to verify this, but I think it may be assumed that fogs here interfere with more vessels than on any other part of our coast. The following statement furnished me by Capt. W. G. Cutler, United States Navy, inspector second lighthouse district, gives the hours of fog for the fiscal years 1906 to 1909 at the Pollock Rip and the Great Round Shoal Light Vessels:

Pollock Rip Light Vessel, No. 47:	Hours.
1906	1,065
1907	1,360
1908	1,236
1909	1,185

Average hours per year.....1,211

Great Round Shoal Light Vessel, No. 42:

1906	Hours.
1907	917
1908	1,625
1909	1,378
	1,119

Average hours per year.....1,259

As to the time of year and direction of wind in which fogs are most frequent in this locality, the Atlantic Coast Pilot says:

"Fogs are liable to occur at any time, but are more frequent from April to October than during the remainder of the year. They come very frequently with the easterly and southerly winds; northerly winds carry them away."

Probably a majority of the disasters on these shoals have occurred during fog. Collisions are generally due to the narrowness of the channel, particularly in Pollock Rip Slue, to the sharpness of the turns, and to the large number of steamers and tows passing through in thick weather.

Were the steamers and tows to cease using this channel, as is expected on the completion of the Cape Cod Canal, the danger to sailing vessels from collision would be reduced to a small part of what it is at present. Under present conditions it would also be greatly reduced if all sailing vessels were to use the main or south passage via the Great Round Shoal Light Vessel, by which the route from New York to Boston is lengthened by only about 12 miles.

Tidal currents: Regarding these the Atlantic Coast Pilot speaks as follows:

"Northward of Pollock Rip the general set of the flood is eastward of northeast and of the ebb a little westward of southwest. The current sets in all directions of the compass during the 12 lunar hours without ever being at rest, turning from north to east and from south to west (with the hands of a watch). About 4 miles is the greatest velocity observed. This was on the rips eastward of Nantucket Island. About 3 hours after the currents turn they attain their greatest velocity."

Eldridge's Tide and Current Book, 1894, states that at Pollock Rip Light Vessel the flood current at the time of its greatest velocity runs from west-southwest to west; the ebb current from east-northeast to east. The force and direction of the current is greatly altered by strong, long-continued winds.

Eldridge's chart gives for a point about one-half mile west by south of the Northeast Whistling Buoy an average velocity for the ebb of 1½ miles and for the flood 1½ miles, which is about the same as given by him in the wider part of Nantucket Sound and is much less than for the narrower portions of Vineyard Sound. The greatest danger due to these currents appears to be from the fact that they vary constantly in direction and frequently tend to set vessels on the shoals. This danger would probably be lessened by the proposed channel, both on account of its direction and width.

COST OF CONSTRUCTING AND MAINTAINING PROPOSED IMPROVEMENT.

Letters and printed matter received indicate a belief on the part of the writers that the proposed channel involves a very small amount of dredging. One of them states that it "gives a working channel with a minimum of dredging; in fact, is almost a natural channel."

The description issued by the American Association of Masters, Mates, and Pilots, Volunteer Harbor No. 4, contains the following:

"In the proposed channel there is at present a little more than a mile where the depth of water ranges from 14 to 20 feet, the balance being a natural channel, with depths from 4½ to 8 fathoms, obstructed only by the lumps north of Stone Horse Shoal, which at present have a depth of 21 feet."

The above fairly states the present conditions except as to certain depth figures. There is now a natural channel between Pollock Rip Shoal and Bearse Shoal having a least depth of about 3½ fathoms and a second narrower and shallower channel through Pollock Rip Shoal parallel to it, both being within the limits of the proposed channel. The chart does not give the depths in the second channel mentioned. The least depth on Pollock Rip Shoal within the limits of the proposed channel is given on the chart as 12 feet. The lumps north of Stone Horse Shoal, as shown on the chart, consist of four small lumps and a narrow shoal about one-third of a mile in length, the least depth on the latter, as shown on the chart, being 12 feet. In spite of the fact, however, that much of the proposed channel is, as stated, a natural channel, a very considerable amount of dredging would be required to secure the width and depth desired. No Government hydrographic survey of this locality having been made by the United States Coast and Geodetic Survey since 1906 (possibly not since 1902) the latest chart furnishes only a very approximate idea of the amount of dredging that may be required. (For example, the 1900 chart, the latest hydrography on which is of 1899, shows a depth of 14 fathoms. The latest chart, on which corrections to hydrography to 1906 are made, shows a depth at the same point of 28 fathoms. At another point where the 1900 chart shows 4½ fathoms the latest chart shows 8½ fathoms.)

On this latest chart the amount of material shown above the 26-foot plane is between 15,000,000 and 20,000,000 cubic yards, the few soundings allowing only a very rough calculation to be made. The amount of back fill during the work I should expect to be large. Costly sea-going suction dredges would have to be constructed for this greatly exposed work. The material is believed to be sand only. The above statements are made for the purpose of indicating only that the work can not be done at so low a cost as seems to be believed.

The question as to the possibility of maintaining at a reasonable cost the channel when constructed appears in this case to be of much greater importance than in the usual case. The shoals are undoubtedly of a shifting character. A comparison of Coast Survey charts issued from 1860 to the present time shows enormous changes in the channels and in the shape and position of the various shoals.

On the chart of 1860 the principal passage from Butlers Hole (deep water southwest of Shovel Shoal Light Vessel) to the ocean was due east from Pollock Rip Light Vessel through a 5-fathom passage south of the broken part of Pollock Rip. The chart of 1874 shows this passage closed by the 5-fathom contour, which is continuous from off Chatham around the entire group of the Monomoy Shoals, the distance between the outside and inside 5-fathom curves being but 600 yards, with a depth of 4½ fathoms between. The 1885 chart shows this distance to be about 800 yards, with 3½ fathoms between and with several small shoals carrying less than 3 fathoms in the immediate vicinity. The 1888 chart shows this distance to be about 2,500 yards, with a minimum depth of 3½ fathoms. The 1894 and 1900 charts give the distance as about 900 yards, with a minimum depth of 3½ fathoms. The 1908 chart gives the extreme distance between the inside and outside 5-fathom contours as about 3,600 yards, with a

minimum depth of 3½ fathoms, but with an intervening hole of 5 fathoms. The position of this easterly passage moved south from its 1860 position, the course from the Pollock Rip Light Vessel changing from due east to about southeast. (This passage is not the main or south passage by the Great Round Shoal Light Vessel.) The minimum depths all occur in the extreme easterly part and appear to be the southerly extension of broken part of Pollock Rip, the shoaling on the inside being much less in depth but extending over a wider area.

On the 1894 chart, along the north side of the deep water extending easterly from Butlers Hole, the 5-fathom curve extends noticeably into these shoals in three arms, which continue through the shoals with lesser depths, forming secondary channels—one close to the shore of Monomoy Island, one almost dividing Bearse Shoal from Pollock Rip Shoal, and one between Pollock Rip Shoal and the broken part of Pollock Rip. The first of these was not shown on the 1860 chart, and the other two were not very prominent; but with the closing of the eastern 5-fathom passage they have increased, until, on the chart of 1900, the passage between Bearse and Pollock Rip Shoals shows a minimum depth of 3½ fathoms and that between Pollock Rip Shoal and the broken part of Pollock Rip, known as Pollock Rip Slough, carried 4 fathoms, with a distance of only 450 yards between the outside and inside 5-fathom curves. On the 1908 chart this latter passage has shoaled considerably, and shows but two isolated spots exceeding 5 fathoms in depth; it is the passage most used by vessels and is considered safe for 3½ fathoms. As above stated, the broken part of Pollock Rip has recently made out about 1,200 feet to the westward, considerably narrowing the northern entrance.

In 1860 the Shovelful Shoal and Bearse Shoal, as defined by the 18-foot contour, were continuous and separated from Pollock Rip Shoal. In 1874 the first two of these were separated and the last two were joined together, with the southern part of Pollock Rip Shoal broken into a number of smaller shoals, which condition has continued up to the latest chart, but with varying outlines on the successive charts. The Handkerchief Shoal, which is rather more protected from the heaviest waves than the outlying shoals and therefore more nearly continuous in form, had approximately the following areas inclosed within the 18-foot curve (the dates refer to the dates of issue of charts).

	Acres.
1860.....	1,900
1888.....	2,660
1894.....	2,980
1908.....	3,230

The above shows a continuous increase amounting to 70 per cent in 48 years.

The area of water exceeding 5 fathoms in depth in the eastern extension of Butlers Hole, within which area are stationed the Shovelful Shoal and Pollock Rip Light Vessels, and limited on the west by a line drawn from the northern limit of Stone Horse Shoal to Monomoy Point, is as follows:

	Acres.
1860.....	3,200
1888.....	3,000
1894.....	3,600
1900.....	3,700
1908.....	2,670

The measurement of any of the extreme outside shoals would be very unsatisfactory, as these are very much broken up and often indicated as a small circle around a single sounding.

The areas of shoals within the proposed channel on which the depth is less than that proposed are approximately as follows on the various charts:

Date.	Stone Horse Shoal and lumps north of it.	Pollock Rip and Bearse Shoal.	Total.
	Acres.	Acres.	Acres.
1860.....	192	1,020	1,212
1874.....	100	840	940
1885.....	180	840	1,020
1888.....	210	910	1,120
1894.....	260	960	1,220
1900.....	250	940	1,190
1908.....	280	1,000	1,280

The following is taken from Eldridge's Coast Pilot, 1890:

"Pollock Rip: During the last 40 years the water upon this dangerous shoal has been gradually increasing in depth. In 1832 some part of it was dry at low tide; in 1842 the least depth at low tide upon it was 3 feet; in 1852, 5 feet; in 1862, 6 feet; in 1872, 7 feet; and in August, 1887, 8 feet. From 1 to 1½ miles to the northward of the Pollock Rip, there are at this date (1890) many ridges of sand or broken rips, which are constantly changing in depth and should be avoided by large or heavy draft vessels.

"Broken part of Pollock Rip: During the last 30 years this broken ground has extended seaward about four-tenths of a mile; the surveys that have been made across it from time to time during that period, show changes in the depth of water in the ship channel.

"Ship channel: In 1852, on a direct course E. by S. ½ S., from Pollock Rip Lightship, not less than 30 feet of water was found in this channel at low tide. In 1862, 24 feet; in 1872, 20 feet; and in August, 1887, 16 feet.

"Northeast Channel (Pollock Rip Slough Channel): The depth in this channel since 1851, has been constantly changing. A careful survey in August, 1887, shows not less than 17 feet on a direct course N. E. ½ N. from Pollock Rip Lightship."

Also the following:

"The sand ridges on the northern part of Stone Horse Shoal near Shovelful Lightship are constantly changing in depth."

From the above statements of changes in the shoals, together with the fact that on the edges of the proposed channel the depths would in many places be as small as 10 feet, and considering the great exposure of these shoals to violent storms, with consequent great movements of sand, it is apparent that the maintenance of this channel would almost certainly be very expensive.

BENEFITS TO BE DERIVED FROM PROPOSED IMPROVEMENT.

One of the benefits to be derived from the improvement is a probable reduction in the number of wrecks occurring annually on these shoals, with frequent loss of life. The annual cost to the Government of removing these wrecks has averaged about \$3,260. No reliable information as to the diminution in the number of wrecks which would result from the improvement appears possible, though under present conditions there would undoubtedly be a considerable reduction.

The water distance from New York to Boston would be shortened by about 2 miles, this benefit being very slight as compared with the cost.

Considerable correspondence has been had with parties interested in the improvement and with others with a view to determining what reduction in freight and insurance rates could be expected if the improvement were made.

Regarding freight rates, Capt. R. M. Lavender, port warden, port of Boston, states:

"It is my opinion it would not change the freight rates, as these are at present as low as the common carriers can afford to carry coal."

Capt. John C. Silva, past president American Association of Masters, Mates, and Pilots, of Staten Island, says:

"If it is possible to reduce freight rates in any way on earth, it is by negotiating one channel with but one turn in preference to making three turns over uncertain broken ground in the same short limit of space. I feel that by lessening the number of turns to make we would proportionately lessen the danger of running ashore or of collision on a thoroughfare so very important as this."

The American Association of Masters, Mates, and Pilots, Volunteer Harbor No. 4, states:

"We do not expect any decrease of freight rates, but we are assured by the insurance people that we can expect a decrease in the insurance rate, as this and Hell Gate are considered the two most dangerous points on the coast for insurance."

The following statement as to freight rates and insurance on coal between New York and Philadelphia as points of shipment and Boston as a point of delivery during the years 1906, 1907, and 1908 has been kindly furnished me by Mr. J. S. W. Holton, president Philadelphia Maritime Exchange:

Insurance on approved vessels.

[Rate per \$100 of value of cargo and vessel.]

	New York terminals to Boston.			Philadelphia to Boston.		
	Under 10 years old.	Between 10 and 15 years old.	Over 15 years old.	Under 10 years old.	Between 10 and 15 years old.	Over 15 years old.
Apr. 1 to Oct. 31.....	\$0.50	\$0.60	\$0.75	\$0.55	\$0.65	\$0.80
Nov. 1 to Mar. 31.....	.75	.75	1.25	.80	.80	1.30

Vessel rates per ton alongside.

[Averages of the highest and lowest rates of the year.]

	New York terminals to Boston.	Philadelphia to Boston.
1906.....	\$0.50 to \$0.55	\$0.78
1907.....	1.60	1.05
1908.....	1.55	.63

These rates are from what is known as lower ports. From upper ports they would be from 3 to 5 cents less.

Regarding what reduction can be expected in insurance rates, the Boston Insurance Co. states as follows:

"There are no fixed rates of insurance. We make our rates dependent entirely on the different vessels, the time of year, etc., nor could we promise any reduction on account of the improvements, because the coal business has not been running well, and the different underwriters interested in this class of business feel that the rates are now too low. We would be very glad to have the improvements made, and believe they would lessen the dangers; but the question of future rates would depend entirely on the experience of the business."

The Home Insurance Co., of New York, states:

"I have noted with great interest your remarks, and regret very much that it does not seem possible that any definite answer, such as you would wish to have, can be made to your inquiry. Our company is not engaged in the insurance of sail vessels or their cargoes, but we are interested in other kinds of coastwise shipping. We, with all other underwriters, recognize the dangers of Pollock Rip Shoal and Stone Horse Shoal, and in 20 years' experience I can recall losses owing to these perils aggregating without doubt, I should judge, several hundreds of thousands of dollars, in many of which this company has suffered; but I do not see how it is possible to calculate what percentage of the rate paid for the insurance of a coastwise vessel or her cargo can be directly chargeable to these particularly hazardous locations."

"You will understand that the rates on the various classes of coastwise vessels vary very materially in accordance with the class of vessel, her age, trade, etc. For instance, on an iron or steel tug, with privilege of the north Atlantic coast, the rates would vary from 4 to 7 per cent per annum, based on the age and condition of the vessel. In the case of an ocean barge the rates vary from 5 to 12 per cent, according to age, construction, and route. The rates on coastwise steamships vary from 3 to 8 per cent. All these classes of vessels are customarily insured under an annual policy, the rate paid being for the average for an entire year, and the rates are theoretically based on the outcome of the business for a series of years, modified by competitive conditions, so that it does not seem at all possible to say how much of the rate is chargeable to a specific location or hazard."

"The proposed work in the locality referred to would undoubtedly be of immense value to coastwise shipping; and as every improvement in the conditions of navigation on our coast has been sooner or later followed by a reduction of the insurance premiums on vessels exposed to the hazard in question, it is reasonable to suppose that the improvement

of the location would lead very quickly to a reduction of insurance premiums on vessels trading in the waters affected.

"I regret that I can not give you a more specific answer to your requirement; but, in my opinion, to attempt to estimate in advance a reduction, based on the improvement in question, would be at best a vague conjecture."

The Providence-Washington Insurance Co., of Providence, R. I., states:

"Any improvements in navigable waters which tend to reduce losses necessarily reduce marine-insurance rates. The competition is intense, and the business is done very close to cost; sometimes below."

"In this case the rates might possibly be reduced slightly as soon as the improvements were made; but when the companies found that their losses were materially reduced in consequence of the change, heavier reductions in rates would necessarily follow."

Messrs. Johnson & Higgins, of New York, make the following statement:

"We are unable to answer your question as to what effect this will have on marine insurance, as we do not make the rates, being only brokers. It seems to us that your inquiry should be addressed to underwriters, who alone would be capable of making a definite reply. Incidentally, we might say that we do not believe the removal of this shoal will affect the rates of insurance. These rates are based upon the character of vessels employed and the results shown over several years of experience. We do not know what proportion of wrecks has occurred on Stone Horse Shoal; but we are certain that there are many other dangerous points on the route between New York and Boston and Chesapeake Bay points and Boston which will continue a menace to navigation, and will necessitate the gauging of insurance rates accordingly."

CONCLUSIONS.

The great importance of the coastwise trade between New England and the Middle and Southern States around Cape Cod, were the commerce to remain as it now stands or to increase, would seem to justify a considerable expenditure by the Government on any feasible plan toward reducing the great annual loss of property and life due to the dangers of Monomoy Shoals. As stated above, however, it is believed that the dangers due to the present large commerce, and particularly the danger of collision with steamers and long tows, will be very greatly reduced upon the completion of the Cape Cod Canal, though the exact effect of the construction of this canal is not yet known. Further change in the present conditions of water commerce may be expected if an inland water route between Boston and Beaufort, N. C., is later provided. The proposed channel would be costly of construction. The cost of maintaining it would be undoubtedly large and might be so great as to be impracticable. The question as to whether or not the Government should attempt by dredging to improve the passage through these shoals, either by the proposed channel or in any other way, ought, in my opinion, to await the developments due to the completion of the Cape Cod Canal at least.

It is my opinion, therefore, that this locality, as described in the river and harbor act of March 3, 1909, is not worthy of improvement by the General Government at the present time.

None of the special subjects of inquiry mentioned in the river and harbor act of March 3, 1909, in connection with the matter of preliminary examinations appear to apply to this case.

Very respectfully,

J. C. SANFORD,
Lieutenant Colonel, Corps of Engineers.

The CHIEF OF ENGINEERS, UNITED STATES ARMY
(Through the Division Engineer).

[First indorsement.]

NORTHEAST DIVISION, ENGINEER OFFICE,
Washington, D. C., November 19, 1909.

Respectfully forwarded to the Chief of Engineers, United States Army.

The locality in question is not worthy of improvement by the General Government. It is characterized by shifting shoals, and any artificial channel dredged through these would be unstable, and hence misleading.

While the record of marine disasters on the Monomoy Shoals (north passage) is large, like disasters in the south passage seem decidedly infrequent.

It is thought relief from the danger of rounding Cape Cod would more certainly follow using the somewhat longer course around and outside of Great Round Shoal than attempting to maintain a precarious artificial channel through the Monomoy Shoals.

JOHN G. D. KNIGHT,
Colonel, Corps of Engineers, Division Engineer.

[Third indorsement.]

BOARD OF ENGINEERS FOR RIVERS AND HARBORS,
Washington, D. C., January 3, 1910.

Respectfully returned to the Chief of Engineers, United States Army.

The preliminary examination of Nantucket Sound reported upon within was ordered with a view to the removal of the northerly end of Stone Horse Shoal and of such portions of Bearse Shoal and of Pollock Rip Shoal as may be necessary. After a description of the existing channels in this locality, the present and prospective commerce involved in their navigation, and other related subjects, the district officer reaches the conclusion that the proposed channel will be costly of construction and of maintenance and that the benefits to be expected from the work will not justify the expenditure required to accomplish the proposed improvement. In this opinion the division engineer concurs.

Interested parties having been invited by the district officer to submit their views to the board, Capt. Spinn, representing the American Association of Masters, Mates, and Pilots, came before the board at its meeting of December 7, 1909. From observations covering a period of 20 years, he stated that the tidal currents appear to follow the line of improvement now desired and that, while the shoals in the vicinity of the channel now followed have been more or less shifting, the general thread of the channel has remained comparatively stationary, from which observations he, in common with navigation interests in general, believes that the maintenance of a straight channel as indicated on the map (not printed) submitted by him and forwarded herewith would be a matter of small cost.

As to the correctness of these views the board expresses no opinion. From the statements made and from other information before it, however, the board is of the opinion that the commercial and navigation

interests utilizing this channel are of sufficient importance to render it advisable to have more precise information as to tidal currents and as to the cost of constructing and maintaining an improved channel through these shoals than is now available, particularly as the advisability of undertaking the work is dependent largely upon the cost of providing the desired channel and upon the stability of such a channel if constructed. It is therefore recommended that the district officer be authorized to make the necessary surveys to investigate these questions and determine, so far as practicable, the direction of tidal currents, etc., and in connection with his further report it is recommended that he also submit an estimate of cost of the work involved.

It is realized that in order to secure full data regarding the above it may be necessary to extend observations over a considerable period of time.

For the board:

WM. T. ROSSELL,
Colonel, Corps of Engineers,
Senior Member of the Board.

[Fourth indorsement.]

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, January 12, 1910.

Respectfully submitted to the Secretary of War.

This is a report on preliminary examination of Nantucket Sound, Mass., authorized by the river and harbor act of March 3, 1909.

Inviting attention to the report of the Board of Engineers for Rivers and Harbors in the preceding indorsement, I recommend that a survey of the locality, as proposed by the board, be authorized.

W. M. MARSHALL,
Chief of Engineers, United States Army.

[Fifth indorsement.]

WAR DEPARTMENT, January 12, 1910.

Approved.

ROBERT SHAW OLIVER,
Acting Secretary of War.

SURVEY OF NANTUCKET SOUND, MASS.

WAR DEPARTMENT,
UNITED STATES ENGINEER OFFICE,
Newport, R. I., November 21, 1911.

SIR: The board of officers constituted by Special Orders, No. 21, office of the Chief of Engineers, August 28, 1911, to consider and report on survey of Nantucket Sound, has the honor to submit the following report:

Upon call of the senior member the board met at the United States engineer office, Newport, R. I., on Tuesday, October 17, 1911, at 11 o'clock a. m. The reports, maps, and other data pertaining to the subject were examined, and on the 18th a duly advertised public hearing was held at the same place. A stenographic report of this hearing is appended. After discussion the board adjourned pending the preparation of a draft of its report. It met again on November 21, when the draft was considered and, with some modifications, was adopted. The full board was present at all meetings and at the hearing.

The provision for examination and survey of the locality as contained in the river and harbor act of March 3, 1909, is as follows:

"Nantucket Sound [Mass.], with a view to the removal of the northerly end of Stone Horse Shoal and of such portions of Bearse Shoal and Pollock Rip Shoal as may be necessary."

The duty of making the preliminary examination under this provision was assigned to Lieut. Col. J. C. Sanford, Corps of Engineers, then in charge of the Newport, R. I., engineer district. His report of November 16, 1909, gives a detailed description of the locality and of the difficulties and dangers of navigation in the general vicinity, with general data relative to winds, seas, and currents, and statistics of commerce. Lieut. Col. Sanford describes the nature of the improvement desired, considers in a general way the cost of making and maintaining the proposed improved channel, and concludes that the locality is not worthy of improvement by the General Government at the present time, on account of the cost of the work, uncertainties of the results, and probability that the difficulties it is sought to remedy will be ameliorated by the completion of the Cape Cod Canal, as well as on account of changes in the conditions of water commerce that may result if the proposed inland water route between Boston and Beaufort, N. C., is later provided. The division engineer, Col. J. G. D. Knight, Corps of Engineers, in indorsement of November 19, 1909, concurred in the view that the proposed improvement was not advisable.

The above report was reviewed by the Board of Engineers for Rivers and Harbors in connection with subsequent representations by persons in favor of the improvement. In an indorsement of January 3, 1910, that board expressed the view that the interests concerned were sufficient to warrant obtaining more detailed and definite information regarding the local conditions and probable cost of the improvement. Additional surveys, observations, and estimates were made under instructions from the Chief of Engineers, and the results have been carefully studied by the board.

The improvement desired by the navigation interests is the creation by dredging of a straight channel not less than seven-eighths nautical mile (1 statute mile) wide and 30 feet deep at low water, from the Handkerchief Light Vessel, about 5½ miles southwest of Monomoy Lighthouse, extending northeastward to the whistling buoy near the present northern entrance to the Pollock Rip Slough. A very large commerce of over 20,000,000 tons annually will be benefited greatly if it be practicable to construct and maintain such a channel. The dangers and difficulties encountered in navigating the present crooked, and in places narrow, channel through the shoals and the benefits to be anticipated from the creation of a broad and straight 30-foot channel in place thereof are well stated in the appended report of the hearing of October 18, 1911. The only opposition to the creation of the proposed channel, so far as the board has learned, has come from persons interested in the success of the Cape Cod Canal, now under construction. They assert that the proposed straight channel through the shoals will be unnecessary after that canal is opened, and that the Government would do better to appropriate money for breakwaters to protect the northern entrance to the Cape Cod Canal than to expend funds for dredging the proposed straight channel. The question of such a breakwater is not before the board. The statement that even after the Cape Cod Canal is opened a large commerce would continue to use the outside route through the Pollock Rip Slough was repeatedly made at the hearing.

The appended estimates of quantities to be dredged and other data have been compiled in compliance with the request of the Board of Engineers for Rivers and Harbors. In a general way they indicate that dredging and maintenance of the proposed channel may be practicable, but the successive surveys available for comparison were made at too long intervals to afford data on which to base reliable conclusions and estimates of cost.

In 1860, 1874, and 1885 the channel is shown extending in an easterly direction from the Pollock Rip Light Vessel, though there was also a northerly channel from this light vessel in 1874 and in 1885. In 1895 and 1908 a northerly channel is the only one shown. There were also various changes between the Pollock Rip Light Vessel and the one near the southern portion of the Handkerchief Shoal during the period covered by the charts, and corresponding changes in the sailing courses and the light vessels marking them. It will be noted, however, that during the period covered by the several published charts referred to a clear channel or passage with over 30 feet depth at low water has existed in a fairly permanent position, extending westward and southward from the mean position of the Pollock Rip Light Vessel to that of the Handkerchief Light Vessel, and the general total width of the passage has remained a mile or more, except at the turn in the vicinity of the Shovelful Light Vessel, where the width of channel 30 feet deep and over at mean low tide has been about one-third of a mile. The distance in a northeast direction from deep water south of Bearse Shoal to deep water beyond Pollock Rip has not been more than about 2 miles at any one time, and the line of the shortest course across this shoal portion of the proposed channel has not undergone very radical changes in direction or position, although it has been far from constant in these respects. Especial attention is invited to the comparative chart on which is shown the number of cubic yards of cut and fill in the area covered by the proposed channel found by dividing that area into squares one-third of a mile on a side, and computing the mean depth in each square at the time of each survey.

The available information regarding the material of which the shoals are formed is to the effect that they are largely composed of sand of a character to be easily handled by a suction dredge, but at the hearing on October 18 the view was expressed by one of the speakers that in places below the depth of 6 or 7 fathoms there is hard mud or clay under the sand. It was also stated that rock or boulders were to be found on Stone Horse Shoal. The narrow and deep channel that has been maintained in the vicinity of the Shovelful Lightship indicates that possibly in that locality the shoals contain harder material than sand. The possibility of clay and boulders forming part of some of the shoals is indicated by the general characteristics of some of the islands and portions of the mainland of southeastern New England. The exposed location has so far prevented a definite determination of the nature of the material that will have to be dredged to form the proposed channel by borings or otherwise, but the fact that at times the surveys have shown 30 feet or more of water where the depths are now much less indicates that a large part of the yardage to be removed is mobile in character, and hence is probably sand.

Consideration of the above conditions in connection with the other data available leads to the conclusion that the practicability of dredging and maintaining the proposed channel can be determined only by trial on a large scale. The great volume of commerce concerned, certainly over 20,000,000 tons per annum, and the prospects for at least partial success are such as to warrant an expenditure by the General Government for such an attempt. Any widening of the available channel in the vicinity of Shovelful Shoal Lightship by dredging the northern portions of Stone Horse Shoal would be immediately beneficial to commerce, as it would give more sea room at this dangerous turn and would greatly reduce the dangers of collision; this could undoubtedly be secured while the dredging of the complete straight channel was in progress, even if the entire straight channel could not be completed. A much narrower channel through the Pollock Rip near Bearse Shoal than the one proposed could be utilized to advantage by steam vessels under favorable conditions, and the successful creation of such a narrow channel would afford a practical test of the question whether the wider channel could be maintained at reasonable cost by dredging, assisted by the scouring action of the currents.

The United States owns a number of seagoing dredges adapted to this general class of work, and the board has been informed that other works on which they are engaged are now in such shape that one or more of these dredges may be available within the year for practical tests on the Pollock Rip Shoals and vicinity. Such tests, besides producing results immediately beneficial to navigation, would develop beyond conjecture the nature of the material to be handled, the cost of its removal, and whether any changes in the existing types of seagoing dredges are needed for economical and effective work at this locality. If the results so attained should warrant undertaking the dredging of a complete channel, as suggested by those interested in the improvement, the most advantageous and economical methods of carrying out the work, and its cost, would be more definitely known than at present.

We therefore recommend that an appropriation of \$250,000 be made for improving the channel through the shoals at the eastern approach to Nantucket Sound in general accordance with this report, the wording of the act to be such as to make it plain that the United States is not committed to the continuance of the improvement beyond the \$250,000. After the work has been carried forward to that extent, the advisability of further work should receive consideration.

Respectfully submitted.

FREDERIC V. ABBOT,
Colonel, Corps of Engineers.
JOHN MILLIS,
Colonel, Corps of Engineers.
EDW. BURR,
Lieutenant Colonel, Corps of Engineers.

The CHIEF OF ENGINEERS, United States Army.

[Second indorsement.]

THE BOARD OF ENGINEERS FOR RIVERS AND HARBORS,
Washington, December 19, 1911.

Respectfully returned to the Chief of Engineers, United States Army. This is a report upon survey of Nantucket Sound with a view to improvement in the vicinity of Pollock Rip Shoals, submitted by a special board to whom was assigned the duty of making this investigation. It appears that much interest has been manifested in this improvement, which indicates its importance and its bearing upon general commerce and navigation. The special board states that the improvement desired by navigation interests is a channel not less than 1 mile in width and 30 feet in depth at low water from the Handkerchief Light Vessel

about 5½ miles southwest of Monomoy Lighthouse, extending north-easterly to the whistling buoy near the present northern entrance to the Pollock Rip Slue, to replace the present crooked and in places narrow channel.

A study of the charts of this locality indicates that the present channel of about 30 feet minimum depth through these shoals has existed for a number of years, but has undergone decided changes in its location, indicating the mobile character of the material on the bottom. The special board finds it impossible to make a reliable estimate of the cost of dredging and maintaining a channel of the dimensions desired by the navigation interests, and concludes that the practicability of the work can be determined only by trial on a large scale. It calls attention to the fact that the United States owns a number of seagoing dredges adapted to this class of work, and that one or more dredges of this type will probably be available within a year for such a test. The prosecution of the work along these lines would produce immediate benefits to navigation, and would definitely determine the nature of the material to be handled, the cost of its removal, and the suitability of these dredges for work of this character. Believing the locality worthy of such a test, the special board recommends an appropriation of \$250,000 for this purpose, and stated that the authorization of this trial should not bind the United States to continue the improvement beyond the appropriation recommended at the present time, the advisability of further work to be determined after the results of the test now proposed are made known.

The question of a safe and adequate channel in this vicinity is a very important one to navigation interests. The course suggested by the special board is conservative, comparatively inexpensive, and should determine much more definitely than is now possible the feasibility and desirability of attempting the full improvement desired. This board therefore concurs in the general findings of the special board, and recommends an appropriation of \$250,000 for the work proposed. The total amount should be made available in one appropriation. In this case there are no questions of terminal facilities, water power, or other related subjects that have any bearing upon the improvement proposed.

For the board:

WM. T. ROSSELL,
Colonel, Corps of Engineers.
Senior Member of the Board.

OCTOBER 18, 1911—11.10 A. M.

Col. ABBOT. The meeting will please come to order. By Special Orders, No. 21, War Department, Office of the Chief of Engineers, Washington, August 28, 1911, a board consisting of Col. Frederic V. ABBOT, Col. John Millis, and Lieut. Col. Edward Burr, Corps of Engineers, was appointed to consider and report on the survey of Nantucket Sound, with a view to the removal of the northerly end of Stone Horse Shoal and of such portions of Bearse Shoal and Pollock Rip Shoal as may be necessary, provided for in the river and harbor act of March 3, 1909. The board was authorized to hold a public hearing, which has just been called to order. The board has before it the technical data necessary to answer the questions of how and where and as to cost. We have asked you gentlemen to come here so that we can learn from you the needs for such a channel, the best figures we can obtain as to how much commerce will use it, how much is passing through there now, and as to the dangers of the present conditions, and any other facts bearing upon the economical side of this question. There is a technical side and an economical side. We have the data for the technical side.

I shall ask Mr. William C. Brewer, of the Boston Chamber of Commerce, to present his matter first, as I know he desires to go to New London by one of the early trains.

STATEMENT OF MR. WILLIAM C. BREWER, OF THE BOSTON CHAMBER OF COMMERCE.

MR. BREWER. I thank you, Mr. Chairman. First I will say that about the 4th of October the committee on maritime affairs of the Boston Chamber of Commerce received a communication from you to the effect that this matter was under consideration. As soon as was possible the committee sent out notifications to the various maritime interests of Boston, including the ship-owning and the shipbuilding interests, the navigation interests, and the marine underwriters. The earliest possible date at which it was convenient to have a general meeting was yesterday morning. The committee met and before them appeared an unusually large representation of the marine interests. It was the largest representation, I think, in the history of the Boston Chamber of Commerce in such a matter. I merely mention this as showing the interest taken in the project. There was submitted a plan showing the general direction of the channel. In a brief way it was stated about what the cost would be. The testimony then given by shipowners and by masters generally showed the great need for this improvement, great emphasis being laid on the tortuous and dangerous nature of the passage at the present time and the very great need of straightening it. Details were entered into at considerable length showing the use such a channel would be to navigation, how it would facilitate the passage of shipping over the shoals which is now held up by inclement weather at both ends. Everybody there had a chance to speak. Capt. Crowley will speak later as to these details, he being my associate here from the Boston Chamber of Commerce, and will go more into the details. Coastwise shipping companies were represented, most of the marine underwriters, some of the steamship owners, and some of the sailing-vessel owners. There were also presented a number of letters from masters of coastwise steamers, and all testimony given was entirely in favor of this project. There was no dissenting note from anybody. The committee was most anxious to have it go through, and endeavored to find out more definitely what would be the cost of the project, but no figures were submitted by anybody. After the meeting—and this in particular is my duty here—the committee passed a vote unanimously favoring the project.

In order to present this matter to you as effectively as possible and to show the interest taken in the matter by the chamber of commerce, they then passed a vote that the president be asked to appoint a committee to be present at this hearing, and the president appointed myself and Capt. John G. Crowley for that purpose.

STATEMENT OF CAPT. JOHN G. CROWLEY.

Capt. CROWLEY. Mr. Chairman, I was appointed one of the committee to come here. I represent the Boston Chamber of Commerce and also the Coastwise Transportation Co., which has 21,000 tonnage of steamers and 32,000 tonnage of sailing vessels.

Being a master mariner myself and having traveled over Nantucket Shoals as long as any man here, from boyhood, and coming here to speak of this channel, I wish to say that I think this is one of the greatest schemes ever put before the public, as it makes a straight course from the Handkerchief Lightship out to the open sea, and vice versa. We have to make this angle here [indicating on chart], go out to Great Round Shoal and make another turn, encountering the cross currents both ways. If this channel were provided, we would have a straight course through there. Sailing vessels coming down from Boston have to anchor in the channel, it being impossible to come up here [indicating]. We do not have proper anchorage. The *Calvin Olcott* came down here and could not make the angle and had to anchor off there [indicating]. She parted her chains in the storm and was driven ashore, the crew being lost, the life-savers being unable to reach them. Coming from the westward, it is almost impossible in a north-west gale to come down here with a sailing vessel. We have to stop at the Handkerchief; therefore the vessels are late in returning to Boston. With this channel, as proposed, a vessel could come right down on a straight course. This channel through there, with a very small expenditure of money, will give a straight channel—something that is needed more than anything else that I know of at the present time by coastwise and foreign vessels.

Col. ABBOT. What depth is needed, in your opinion as an expert navigator, for this proposed channel to accommodate the deepest draft traffic likely to use it?

Capt. CROWLEY. At the present time, 30 feet. Our largest steamer draws, loaded, about 26 feet.

Col. ABBOT. Is there any place along the route from Long Island Sound to Boston where there is a less depth than 30 feet of practicable navigable width?

Capt. CROWLEY. No, sir.

Col. ABBOT. Any in Nantucket Sound?

Capt. CROWLEY. No, sir.

Col. ABBOT. And by the Cross Rip Lightship you can use 30 feet?

Capt. CROWLEY. Yes; we have to make a sharp turn there. There are one or two points almost east of the lightship also.

Col. ABBOT. That is also a dangerous location?

Capt. CROWLEY. Yes, sir.

Col. ABBOT. How is the exposure there? Is it as dangerous as at Monomoy?

Capt. CROWLEY. No, sir; it is less dangerous.

Col. ABBOT. Why?

Capt. CROWLEY. Because if a vessel starts to go across there she can be held off.

Col. ABBOT. And is that a good reason why you do not need more than 30 feet, as it is narrow at Cross Rip?

Capt. CROWLEY. Yes, sir.

Col. ABBOT. We want to know what you need in depth in order to develop all the benefit we can with this one improvement.

Capt. CROWLEY. Thirty feet is all that is required.

Col. ABBOT. Now, I would be glad to hear anybody else on this same side.

STATEMENT OF CAPT. R. M. LAVENDER, PRESIDENT PILOTS' ASSOCIATION OF BOSTON.

Capt. LAVENDER. Having from my boyhood days navigated Nantucket Shoals, and knowing the conditions that existed there in those days with lighter draft vessels, and also knowing that in later years the channel has grown deeper, and taking into consideration the conditions now, it has been demonstrated, I think, that this channel can easily be kept clear by a little dredging work. It has deepened from 12 to 20 feet now by the constant use of it by steamers. I can vouch for all that Capt. Crowley has said. We know the conditions as they existed and as they exist to-day, and we believe in the project.

STATEMENT OF MR. L. A. SPINNEY.

Mr. SPINNEY. Mr. Chairman, I was sent here as a member of the Pilots' Association and I also appear as a delegate from the Boston Marine Society. I believe that the first record of any active interest in this project was made by the Boston Marine Society; and I have deposited on the stenographer's desk a record of the action taken by that society.

(Submits paper, marked "Exhibit No. 5," copy appended.)

The society is composed of the marine men, including nearly all the men engaged in Boston and Massachusetts in maritime work, going back to the old ships and coming up to the present large steamers. In the year 1908 this project was brought up in the society during the middle of the year. At the November meeting a petition was circulated and by vote of the society the petition was sent to Congressman GREENE, with a request asking him to take the matter in hand. That year, through Congressman GREENE's advice, the matter was taken up in Washington, and in 1909 an appropriation was secured for this survey. The matter was returned through the department to Col. Sanford. Going by the old surveys, from which the present charts were made, the colonel found several reasons why he did not think the matter was properly to be carried on at this time, due to the expense and other things. The department at Washington gave us a hearing on December 7. At that time the representatives presented their ideas and the matter was returned to the department with orders to prosecute the survey, which was made in August and December of last year. I wish we could have the technical information you have to use, because I believe it would be to our interests. You hear things about there being some opposition to this channel, but you can not quote anyone. I believe the information you have would be to our interest. The water must have been deeper up there than the charts show or else you would have broken water there; there would be a ripple instead of being smooth. I understand a man walked across there in the year 1850. With the tide running three hours out of every six in this channel it has removed a great deal of the sand. It must be much deeper there than the charts show or we would have broken water there. Your survey gives you the exact information.

Col. BURR. Which shoal are you speaking of now?

Mr. SPINNEY. Of Bearse Shoal and Pollock Rip Shoal. There was 12 feet of water there; now there are 25 feet. The volume of sand to be removed was estimated at 15,000,000 cubic yards. I understand from the survey that there is not much more than half of that there now. It seems that time has removed in 20 years a large body of sand. That body of sand has been over one-third removed. The tide in that time would remove a sufficient amount of sand to entirely close up the channel if there was any disposition to close it. The tide which cuts this channel may be depended upon to keep it clear to a width of seven-

eighths of a mile. The present channel is three-eighths of a mile wide. The strength of the tide runs three hours east-northeast and the other three hours in the alternate direction. When the tide changes it commences to slow up. This great body of sand would close up the channel if it had not tended to make deeper water by some force. They are using the same old channel as formerly, only it is carrying 25 feet of water instead of 12 feet. The increased draft of vessels has brought about a change in the bottom. Your chart shows a change of 4 fathoms, necessitating the moving of the buoy last year. Vessels of 22 or 23 feet draft struck on this slue. The vessels using the channel to-day go in the old channel, disregarding the way in which the buoy has been removed by the *Azalea*, I believe. What information was obtained was obtained in one period of slack water, and the information so gained in that 20 or 30 minutes led to the change of the buoy.

The old channel southwest of the Pollock Rip Lightship is still used. The sand has not moved out from the broken part to where the buoy is now; it is the old 4-fathom lump. The department has never removed a single wreck from this locality. There are hundreds of them there. They have been blown up by dynamite, and sand collects around the wreckage. If you will build a jetty by dumping a shipload of stone, it is reasonable to suppose that if you blow up a wreck with dynamite, when the wreckage rests you will collect some sand. The only lumps you will find there are formed by wreckage. The shoals are not changing except so far as this tide has forced its way through the shoals. There are 6 fathoms of water there now where there was but 3. The tide is bound to cut it out. In 20 years it would make its own channel. There is more traffic through that channel, so far as we can estimate, than almost any other. We have arrived at the conclusion, which I believe will be backed up by the figures, that there is more traffic through there than in any other place, except the port of New York, and even that exceeds only in tonnage; I question if it does in the number of vessels. The channel should extend west-southwest; now we have to go west-northwest, which is very difficult for sailing vessels. We should also look at this question from the humanitarian side. No matter what other relief you may provide, if you provide a canal it must be provided for by tolls. Only a certain class of traffic can use it anyway.

There always has been and there always will be a large class of vessels, sailing vessels, which will use the Pollock Rip Shoals Channel, whether you improve it or not; and you will continue to have loss of life and of property if you do not improve it. I think it would cost less to do this work than it costs the underwriters to pay the expenses of losses. I remember the day when the *Dimmock* and the *Hall* collided. The *Hall* was a total loss. The *Biscayan* collided with the *Goodenow*, and two other vessels were sunk, on March 12, 1908. The underwriters paid for that day more money than it would cost to construct this channel. This channel when dredged will be largely maintained by nature; otherwise the present channel would have been filled up and closed. I do not think there is any question of maintenance. The law which creates the present channel will maintain it. Sailing vessels will use that channel, particularly in the winter time, when any other relief would be closed by the location and geography of the place. Every winter vessels must round the cape to Provincetown, or go to destruction. That being the condition, aside from any other question at all, the channel should be provided for their protection from any gale that may come. If that was the only consideration, the argument would be well made for this improvement. The dangers are not so much from the stranding of a vessel as from collision. A tug with barges meets a tow coming down from the Shoeful. It has to make a sharp turn in there and you have collisions there. With this channel once straightened, the tide will keep it straight, and, I believe, will keep it deep. We could then keep one side of the lightship, and the great danger will have been removed in the minds of those using the channel. The eastern approach is what gives us the trouble.

Col. ABBOT. That is Bearse Shoal?

Mr. SPINNEY. Yes; Bearse Shoal.

The natural action of the tide has removed from one-half to two-thirds of the sand since the former survey. If we are saving every year the lives and property of the men who use the channel, that alone would be worth the constructing of the channel. One of the reasons formerly advanced against this channel was that there was no depot available for supplies. Now, Nantucket Harbor is being improved and supplies can be obtained there. The only other relief is the relief suggested by going through the canal, the Cape Cod Canal, and that involves extra expense, because it is a commercial proposition and must earn money to make it pay. The present rates of freight are so low that they do not allow vessels to pay tolls. This channel will always be used. On the petition for this improvement you will find every underwriter of importance, every insurance company of importance, every steamship company in New England of any importance—in fact, everyone who is called upon to use the channel. The Boston Marine Society, whose record I have handed in, has in its membership the chief interests involved. From all that class of people this improvement has their earnest support. If anyone would like to ask any questions, I will try to answer them.

Col. BURR. What are the freight rates at present?

Mr. SPINNEY. On coal, 60 to 75 cents a ton.

Col. BURR. From where?

Mr. SPINNEY. From Newport News and Chesapeake Bay points to Boston. I have been told by a representative of one of the steamship companies that the minimum rate of tolls through the Cape Cod Canal would be 10 cents a ton. They could not pay that. They are running so close now to the margin of profit and loss that they could not pay 10 cents a ton in tolls for going through the canal.

STATEMENT OF MR. JOHN M. BLANKENSHIP.

Mr. BLANKENSHIP. I represent the Merchants & Miners Transportation Co., which operates a line of steamships from Jacksonville, Fla., into Boston. We have 936 sailings every year over the shoals—over two and one-half times a day. I do not hesitate to say that there is no improvement which could possibly be made on any ground we cover as important as this one. Any delay we have can always be counted as being on the shoals. You know what delays mean to the shipping interests and what they mean to us. I think that channel is what is needed. From what I have read of the subject, it seems that all that is needed is simply to start it. Get an appropriation for a dredge, such as are used on the Savannah River, and start this channel. Nature will keep it going. Our company wishes to go on record as strongly favoring this channel. We have here to-day Capt. Miles Hillary, who will go into this matter more in detail as to the navigating part of it.

Col. ABBOT. Will you file the names and drafts of all your steamships using this route?

Mr. BLANKENSHIP. Yes, sir. We handle 1,000,000 tons of freight a year. I hope it will be twice as big in two or three years.

STATEMENT OF CAPT. MILES HILLARY.

Capt. HILLARY. I will try to give the practical experience of those who use the channel. For instance, leaving Boston in a fog, we can come down here to Chatham without difficulty. The tide is fair. The wind is blowing. We are a little anxious now regarding going across the shoals for fear of collisions. Here the vessels anchor in the course of vessels at such places as the Slough, or around on the other side of Pollock Rip Shoal. We may meet one, two, or three tows, coming or going, with hawsers from one-half to three-fourths of a mile long. One time I had a cargo worth \$600,000. The ship was worth \$300,000, and I had on board 100 passengers. I laid there waiting for daylight, as I did not care to take a chance of going through for fear of meeting tows in the channel. I had to wait there 12 hours. My passengers were urging me to go on. They were saying, "I am losing my train." "This is the last time I will come on this line." "Do not wait till daylight." Finally I said, "Well, I will start." I heard the bell and looked and saw I had just missed the bow of a tug. I must go full speed through there because of the cross currents of the tide. Perhaps the sound of the bells may be in a zone where I do not hear. I go on and make my turn on the clock. I have been in the towboat business myself. They usually have very skillful men on the towboats. I cleared the turn and then heard another whistle. I do not know which way to go. There are often times when we do not hear. In that way we make our time up to the Shoeful, and so on through the shoal. It is the constant fear that troubles me. I must go full speed again because I am crossing the tide again. We finally arrive at the Handkerchief, where you are relieved. You have fair conditions there.

I have made the trip through there for 10 years nearly, without missing one trip, except one day when I was sick, carrying passengers and freight. I have had these experiences many times. We have here to-day the captain of the *Yale*, and he can verify my statements. I will further show the conditions there. Suppose, now, we are going from the west to Boston. We make the Handkerchief all right. We may have lost 10 hours waiting for the fog to lift. I am afraid of meeting tows more than I am off the shoals. I run along up to there [indicating] without stopping. My running time is 20 minutes. I run 18 minutes and hear nothing. I can not run one minute beyond the Shoeful. If I do, I am on the beach. I am afraid. I must judge as to what to do. I have had this experience many times. Afterwards I hear the lightship ringing. Her bell has been in a zone where I could not hear it. If I meet tows, I have to stop, of course. I had to get around there the best way I could. It is a case of another ring, full speed, and I go across that damned Slough, which everybody dreads. We are both cutting off here [indicating]. This is a condition which might occur every day with these fogs. You do not know where your heart is; you say: Your heart is in your mouth. I wish you could see where mine was. I was master of the *Orion* at this time, and was waiting for the sea to go down some. It went down and I started to go ahead and make my turn, and just then I saw a tow and another steamer. The tow and her barges were running wild, and so was the steamer. I had to take a chance and start my wheel and turn between that steamer and Pollock Rip Lightship. I lost my bridge and my pilot house. My mate, who was a Norwegian, said "Jesus, Captain, we are going to eat sand." I could relate these experiences all day, because I have been crossing through there for 20 years.

STATEMENT OF CAPT. N. L. CULLIN.

Capt. CULLIN. I represent the marine departments of the trunk lines carrying 95 per cent of the tonnage of coal coming east. The companies which I represent, which are the Philadelphia & Reading Railroad, the Erie, the Delaware, Lackawanna & Western, the Lehigh Valley, the New Jersey Central, and the Baltimore & Ohio, operate 23 tows and 164 barges. Their business is entirely with the eastern ports. We go over these shoals 1,950 times a year; that is the record for the year 1910, closing June 30. We carried during that time 2,698,000 tons of coal over the shoals. We take three barges in tow. If we go loaded, we must come back light, so we simply double up our tows going both ways. The Reading Railroad alone ships from 140,000 to 170,000 tons of coal a month over these shoals. That is about 80 per cent of the coal taken into the eastern ports. I will not dwell, though I am a practical man in this line, on the question of digging a channel there, as you have other men here more familiar with that part of the question than I am. I want to say that the companies which I represent are much in favor of this project and are ready to assist in any way they can in order to straighten this channel across these shoals. We must go in and out as well as the steamers. We use the best caution we can, as well as they do. The sailing vessels also must use it. We have to contend with them, because we have a long tow. If it is thick, one flashes up possibly but a very few feet away from us, and it is a serious question very many times how to clear the tows, and it is a wonder that more steamships, schooners, and coal barges do not drop in going over these shoals than there is.

STATEMENT OF CAPT. ALFRED ABBOT.

Capt. ABBOT. I represent the New England Coal & Coke Co., of Boston. We carry over 1,000,000 tons of coal across the shoals every year. Our ships draw 26 feet of water. We approve of this proposed channel. We generally use the Great Round Shoals Channel. We have a great number of delays going through there owing to the cross currents. We would like to have this other channel. It would minimize collisions.

Col. ABBOT. You go around the Great Round Shoal on account of your deep draft?

Capt. ABBOT. Yes, sir. We lose 24 hours often waiting for a chance to go through. We have been detained owing to the cross currents, and if you can not see 2 or 3 miles ahead you can not make it.

Col. ABBOT. Where does your coal come from?

Capt. ABBOT. From Virginia ports.

STATEMENT OF MR. GEORGE H. WOOLLEY.

Mr. WOOLLEY. I represent the Commercial Tow Boat Co., of Boston. Our company is engaged in carrying coal from Virginia ports to Boston. We carry from 150,000 to 175,000 tons of coal per year. Barges arriving at the shoals in a driving wind are handicapped for lack of water and endangered by collisions. Frequently vessels are headed off by the wind, and they are then obliged to anchor, mainly in the

channel, which, as the channel is only three-eighths of a mile wide, with other vessels anchored in it, gives vessels passing through it very little room to work in. A new channel will greatly relieve this situation, as then, if the wind should die down, they will have room enough to anchor on either side, which they do not now have. We utilize over 22 feet of water. Great Round Shoal Channel is used almost exclusively. Tows are very often obliged to anchor there for the night, not daring to go out. When morning comes, the weather has changed. Much time is lost in this way. This channel would be a great benefit to everyone using Nantucket Shoals.

STATEMENT OF CAPT. T. E. HAWES.

Capt. HAWES. I represent the International Steamship Co. I was born in Chatham and have been familiar with conditions down there since I was 9 years old. I have seen the channel change. I do not see any reason why the channel proposed would not be a nice channel. I have been on most of the towboats. When we want to go through there we get tangled up with schooners, which puts us in a bad fix. We get tangled up with steamers, too. If they will dredge that channel out it will keep clear itself. The full strength of the tide runs that way. Of course, you get out of Boston, with the wind northeast, and bound to New York, or farther south, and come down by the Capes, and you may get into a snowstorm. Not many want to go in through there; they generally hold up. If you had a straight channel there, you could come down and go right on through. Now you can not do it. Last winter four schooners were lost there. I came down through the slue and was held up by two schooners on their way up on my weather bow. I had to stop to let them go by. The next morning three schooners were piled up on the Stone Horse Shoal. All hands were lost. If this channel was there, they could have gone on down to the Handkerchief and anchored. That is all I have to say.

STATEMENT OF CAPT. J. W. HAMMOND.

Capt. HAMMOND. I am superintendent for and representing the Staples Transportation Co. I was born and brought up in Chatham, and from boyhood have navigated in these shoals. The ground has been pretty well covered by the previous speakers. We send 350,000 tons of coal over these shoals yearly, two-thirds from southern ports and one-third from New York. I have noticed that the channel through Pollock Rip Slu has deepened in 30 years, and it now remains fully as deep as it ever has been. I saw for the first time this morning the chart showing where the proposed channel would be, and I can not indorse it too strongly. I think it is the proper thing to do. Many disasters have occurred from the fact that the course has changed so much. We hardly realize, until we are in it ourselves, how great is the amount of danger involved in the changing course down from the Handkerchief, going off nearly four points one way and then back nearly eight points to make these turns, involving the dangers of cross tides and anchored and navigating shipping. We certainly approve this proposed channel.

STATEMENT OF CAPT. H. L. HOPKINS.

Capt. HOPKINS. I am secretary of the Pilot's Association in Boston and necessarily come in contact with the majority of the men using this passage. I do not think there are any representatives here of one or two of the following concerns. I can say they are in favor of it. We have a number of light vessels running through there with coal, and they want considerable room. The channel is rather narrow. The concerns I refer to are the Chesapeake Steamship Co. and, I think, the Metropolitan Coal Co. They are heartily in favor of this proposed channel. I am in touch with the men using this channel. We endeavored to get through with 14 feet of water several years ago; now that same channel has from 20 to 22 feet of water, showing that it is growing deeper and not shallower.

STATEMENT OF MR. J. M. CHERRY.

Mr. CHERRY. I represent the T Line for the Lehigh Valley Railroad Co. We have 34 barges which round Cape Cod, with 5 tows. They haul 435,000 tons of coal annually. I can not speak from the standpoint of a navigating officer—only that of superintendent—but I do know from the reports of our navigating officers that it would be a great improvement to have this proposed channel, and I most heartily indorse it. We have here Capt. D. R. Chase, who will be glad to say something about the navigating end of the business.

STATEMENT OF CAPT. D. R. CHASE.

Capt. CHASE. I do not know as I could explain any more fully or clearly the conditions at that part of Nantucket Shoals than the gentlemen who have preceded me. They seem to have covered the ground pretty well, but having been probably in a different position at times than the rest of the officers, and having been in charge of the barges, which is particularly a unique position, I can say that I have been out on a hawser, as they state, 200 fathoms long. At times we do have them of that length. At times we had only 75 fathoms. That matter is regulated altogether by the conditions. If it was a thick fog, the Lehigh Valley Railroad Co.'s barges would shorten our hawser before we got down to this channel. I have been through there as a master for 12 years, and was a native of Harwich, 7 miles north. I was on the shoals considerably, as a boy, fishing and otherwise.

I do not know where the money can be utilized to any better advantage than in that new channel as proposed; I can not think of any other place, and have often expressed the opinion that when we get down to the Handkerchief and we turn to go out to Pollock Rip, it was a pity that this channel, which seemed to be a natural one, could not be straightened. I have seen the *Ralph M. Hayden* and the *Charlotte Miller* go across there. The straightening of the channel would, in my estimation, greatly reduce the dangers of collisions. Everyone who follows the sea will notice that on easterly winds the vessels are using Vineyard Haven, under Nobska Point; the wind holds them up for a few days, perhaps a week; and then the vessels congregate, and they meet in this narrow channel. I do not see how they ever do keep clear. They remind me of Capt. Charles Barr, who sailed the cup defender, jockeying around for position, only with this difference, jockeying around was for the purpose of saving human life. I have heard some good things here to-day. There is lots to be benefited by this improvement that has not yet been seen or even thought of. Of course these tows coming down through there are enormous; they represent the big tonnage. We all know these barges must be towed on a hawser. I realize that the schooners seem to be more in the way than the steamers, having no propelling power of their own. This channel will open a direct line, and that is what we need at this time.

I shall give my hearty cooperation to the movement and hope that the improvement will be put through.

Col. ABBOT. Is there anybody else who wishes to speak?

STATEMENT OF MR. CHRISTIAN E. METZLER.

Mr. METZLER. I represent the Philadelphia & Reading Transportation Line. We have in service 11 ocean tugs and 63 barges with a carrying capacity of 100,000 tons on a summer schedule, and a little less on a winter schedule, per month. We carry to New England 1,500,000 tons of coal annually; 300,000 tons goes to Bangor and the Penobscot River. We are heartily in favor of this channel. I know that from September 17 to 20 there were 20 tugs with from 40 to 60 barges anchored, storm bound, in the vicinity of Woods Hole and northwest of the Handkerchief, and I am of the opinion that they were there for two or three days, some of them. If this channel had been in operation they could have started along before they did and some could have gone right through, but they could not get around the lightships at Pollock Rip and Shovelful. The channel would have given them a straight course from the Handkerchief. Many of these boats, coming up that way, especially from the Penobscot River, go out to sea, leaving the cape 40 or 50 miles to the westward. The channel would give them a direct course and I believe if it were in operation it would prevent many of the delays on the shoals. I want to say for the Philadelphia & Reading Transportation Co. that we are heartily in favor of the improvement.

Col. ABBOT. I would like it if you could give me an estimate of the value of one day's delay for one of your tugs with a tow of three barges.

Mr. METZLER. I could better give that if I knew the freight rates on coal. The *Conostoga*, which is somewhat better than any of the rest, made 11 round trips between Philadelphia and New England and back in 78 days, with three barges each way. Sometimes she went to Boston only and sometimes she went as far as Fort Point. Our barges carry from 1,000 to 3,000 tons of coal each. They tow three of these barges and carry probably on an average from 4,000 to 5,000 tons of coal a trip. All things being favorable, they make that trip in three days one way and three days back. We allow 72 hours to come up and 65 hours to come home in fair weather. Oftentimes we are held up four or five days. If a tow can handle from 4,000 to 5,000 tons of coal, bringing the loaded barges up here and taking the empty ones back in six or seven days, the delay of a day means a considerable. The rate for freight on the coal and the expense of running the tug would, of course, figure in it. I do not know what that would be. I am simply what a train dispatcher is on a railroad. I am given the barges and I ship them. The train dispatcher may not know what is in his cars or the rate of freight. It is the same way with me.

Hon. WILLIAM S. GREENE, M. C. I think Capt. Lavender can show the growth of the business and the change in freight rates.

STATEMENT OF CAPT. R. M. LAVENDER.

Capt. LAVENDER. In February, 1865, which, as you all know, was during the War of the Rebellion, we carried coal from Philadelphia to Portsmouth at \$4.75 a ton; later it was \$4.50, then \$2.50. Now it is 60 cents. That is 15 cents over the Boston rates. That goes back to February, 1865.

I think, Mr. Chairman, as to the cost of delays, we have here Capt. Hammond and others who can give that almost to a penny. That channel would be one of the greatest things that ever happened to Boston for people going over these shoals. Capt. Hillary would not have to wait outside for 12 hours if he had a straight channel. That would enable him to navigate that channel on one side. He would know where to find his vessels; he could go through with perfect safety. The proposition, as laid out here, is not much of an engineering problem. I do not think there is anyone more familiar with the question than Mr. GREENE, at one time chairman of the House Committee on the Merchant Marine and Fisheries. This channel will banish the thought of collision. The Government would compel boats to keep to one side going in one direction and to the other side when going in the opposite direction. The only time there would be any danger would be when some man violates the rules or a stranger gets in there. Capt. Hillary would know where he is going to find the ships and would have no trouble, either with his passengers or his company.

Col. ABBOT. Is there anybody else on that side who wishes to speak?

STATEMENT OF MR. GEORGE W. ELDRIDGE.

Mr. ELDRIDGE. I am George W. Eldridge, chart maker. I represent no one but myself and humanity—sailors. I came here to listen and to say a few words, perhaps.

For 50 years we have surveyed Nantucket Shoals. We have surveyed over Pollock Rip and vicinity 18 times. I was born at Chatham and know that country pretty well. I have advocated this plan for more than 10 years. In fact, I believe it absolutely originated in my brain. I have published a book on the tides for 36 years, and for years I have written articles and printed them in that book annually on this very thing. Within 50 years there have been three channels formed in the vicinity of Pollock Rip. I have no doubt, in fact I believe, that all the sand forming Nausett and Monomoy Beaches and Monomoy Shoal comes from the highlands of Cape Cod. The storm waves wash it down and drive it along the shore, down, down, down, forming, as I say, Nausett Beach, Monomoy Beach, and Monomoy Shoal. Shoals are formed by tidal eddies and not by tidal currents. A snow bank is formed by an eddy, or a calm zone in the atmosphere, and sand works in the same way. When I was a boy, I was with my father the first day we threw a line there. The old ship channel was east south one-fourth south of the Fort Point Lightship. It then formed the slue. It broke through. In 1850 I went ashore dry shod on Pollock Rip exactly where this proposed channel is now being considered. In August of this year the depth there was 16 feet. The second channel was the slue of Pollock Rip; the old channel filled up, then came the slue of Pollock Rip. I believe it has deepened from 16 to 24 feet by the action of the propellers of steamers. Some years ago I observed that the water began to deepen right through the main body of Pollock Rip—dry 50 years ago.

I have come to the conclusion that the third channel was being formed. All this sand comes down and turns off to the south. The main body of the current is west-southwest by east-northeast. That is about the lay of this proposed channel. That is the third channel that has been formed across these shoals within my recollection. If dredging is done there now, that will take care of it for years undoubtedly. The channel is very narrow between the Stone Horse and the Shovelful. The Shovelful has been working off sand and narrowing up the chan-

nel, as the captains well know. I advocated years ago that the north end of Stone Horse Shoal be cut off. By this plan you will give them a good, wide channel to approach Pollock Rip, and then with this channel across Pollock Rip it would be all right. As to collisions, for 40 years I have been employed as an expert as to collisions. Some 20 years ago William K. Vanderbilt's steam yacht *Alva*, valued at half a million dollars, was sunk in collision with the steamship *H. M. Dimock*, running between New York and Boston. I was in that case, and I have been on some cases of the Philadelphia & Reading Railroad Co. Many millions of dollars and many lives have been lost in this Pollock Rip Channel. Some years ago I wrote a little verse on the subject, reading like this:

"There is a coaster's hell,
And there is a coaster's heaven.
One is Pollock Rip
And the other is Vineyard Haven."

In regard to the Cape Cod Canal, I really do not consider that it enters into this matter at all. I have always considered it a fiasco and have opposed such a canal. All practical mariners do also. I do not believe it will be used to any great extent, for many reasons not necessary to relate here. It has nothing to do with this matter. Vessels will continue to cross the shoals. The American public desires this channel. I do not know any part of the coast where so little money has been spent as Nantucket Shoals. The Government should spend millions of dollars there in aids to navigation and for mariners. They come here now and ask for our opinion. I believe in it, I approve it; it is the thing to do, and it is bound to come. They ought to have it; they deserve it, and I believe it is the thing to do.

STATEMENT OF HON. WILLIAM S. GREENE, M. C.

Representative GREENE. I have been seated here and listened to the remarks made by the gentlemen who use the great water highway, which is as important certainly as any highway on the land, and we are improving highways on the land to-day, and everybody is moving forward in that direction. I have realized more fully than ever before the importance of this project. It so happens that I represent the district which embraces Nantucket, Vineyard Haven, and Marthas Vineyard, and at one time I represented all of Cape Cod. By the growth of the cities, Cape Cod slipped out of my district, and I presume now that Nantucket and Marthas Vineyard will also go in the next reapportionment. This matter is a national question. Some speak of its importance to Boston. It is important to everyone, to every man sailing the sea, whether foreign or domestic, or whether he has schooners, steamers, or barges. My mind went back, as I have been seated here, to the time I went to work in 1858 for a man in the wholesale coal business, and I thought of the freight rates in those days and of the size of the schooners and sloops of those days compared with the vessels, steamers, and barges of the present day. When we engaged a 250 or a 300 ton schooner we were looked upon with astonishment at that date. We were bringing coal to New England. Now the sizes have increased many thousand tons, and the stories told here to-day as to the amount of this commerce, if they are within the facts, would seem like romances.

It seems to me that this project ought to be reported upon favorably and acted upon favorably by the Congress of the United States. We hear in these days a great deal about conservation—conservation of our resources. The most important conservation of all is that of human life, the preservation of the lives of those who are born into the world for the good of the world, as we believe. These children born into the world grow up into men and go down into this dangerous spot and their lives are sacrificed, as they have been—countless thousands of them—in this dangerous spot. That alone, if there was nothing else—never mind the question of the loss of vessels and cargoes—the loss of human life alone ought to make this measure sure. I am glad that this board has the matter under consideration. I happened to be the humble instrument that started it in Congress, and though I may not hereafter represent directly the district that it is in, indirectly I represent every district in the United States; there is no people or land from the Atlantic to the Pacific, from Alaska to the Panama Canal, and out to the Philippine Islands that I do not represent. I am prepared to advocate this project in every way, both before the committees and on the floor of Congress, and I say that this project is not one that affects New England alone, not Boston alone, but it affects every land and every sea and is a project so worthy that it ought to have the support of everyone, regardless of what conditions he may find in his own home or his views of the political questions of the day. It is a national project. I hope your board will report the subject fully and fairly, and I will be glad to examine the report when made. You should relieve the anxiety of these captains and vessel owners.

I have not seen very much of the world; I was never outside of our own land; some time I hope to go across the ocean. I hope to go to the Pacific coast and see the Panama-Pacific Exposition. I want to see all I can. I realize that life has its limitations and that I have not many more years to live, but I was favored with a strong body and I hope to see a great deal more. To-day is the time to do this work; now is the accepted time, and with all the delays that come afterwards in getting appropriations and putting the thing through, we ought to lay the foundation for this improvement secure, and then build the structure, that all the men and all the women of the future generations will praise the work that we do here to-day. [Applause.]

Col. ABBOT. Is there anybody else?

Mr. CHERRY. I would say that our steamers carry between eight and nine thousand tons, our schooners between three and four thousand tons—our transportation company alone.

Capt. CULLIN. You asked the question as to the cost of delay. I say approximately \$450 or \$500 a day would be lost by a tug waiting to go through the Shoals. With one of our steamers, if delayed, her time is reckoned at 5 cents a ton a day, which would be about \$400 for 1 day alone, if she were delayed 24 hours on Nantucket Shoals.

Mr. SPARKMAN. I yield the gentleman from Louisiana such time as I have left.

The SPEAKER. The gentleman from Florida has only four minutes remaining.

Mr. RANDELL of Louisiana. Four minutes will do me no good. I ask unanimous consent to be heard for 30 minutes on this bill.

SEVERAL MEMBERS. The gentleman can get an hour.

Mr. RANDELL of Louisiana. I ask for an hour.

The SPEAKER. The gentleman can be recognized for an hour in his own right without asking anybody's consent.

Mr. RANDELL of Louisiana. But you have been trying to pass the bill, and I did not know I was going to get a chance.

The SPEAKER. Whenever debate shall cease it is the business of the Chair to put the question.

Mr. RANDELL of Louisiana. All right; I ask to be recognized now to proceed in my own right for one hour.

The SPEAKER. The gentleman from Louisiana is entitled to one hour.

Mr. BARTHOLDT. Will the gentleman yield so I may ask the chairman a question with respect to amendment No. 78, relating to the Missouri River? Is it his understanding that the effect of that amendment is that the localities benefited will not be called upon to pay their share of the local expenses until Congress acts again?

Mr. SPARKMAN. Referring now—

Mr. BARTHOLDT. To the Missouri River amendment.

Mr. SPARKMAN. Oh, certainly; that is the understanding.

Mr. BARTHOLDT. Then, really the effect is the same as if the provision were not in the bill at all.

Mr. SPARKMAN. I agree with the gentleman.

REPORT OF COMMITTEE ON EXPENDITURES ON PUBLIC BUILDINGS.

Mr. CLINE. Mr. Speaker, by the unanimous action of the members of the Committee on Expenditures on Public Buildings, I am directed to present a partial report (No. 1029) and ask to have it received. The committee held hearings and examined witnesses from the Supervising Architect's Office; and upon official documents presented by the Secretary of the Treasury and the testimony of the witnesses is drawn this partial report, signed unanimously by the committee, and I ask to have it received and printed.

The SPEAKER. The gentleman from Indiana asks to have a report signed by all the members of the Committee on Expenditures on Public Buildings—

Mr. MANN. Mr. Speaker, it is impossible to hear what the gentleman says. Unless he talks loud enough for the House to hear, I shall have to object.

The SPEAKER. The gentleman now presents a partial report from the Committee on Expenditures on Public Buildings, signed by every member of the committee, and asks that it be received and printed. That was the gentleman's statement.

Mr. MANN. Why does the gentleman have to present it in the open House? What does he want by that; why does not the gentleman drop it in the basket?

The SPEAKER. Well, that is the proper thing to do, but the gentleman asked unanimous consent—

Mr. MANN. I know, but unanimous consent to present a report to the House may be considered as equivalent to granting it a privileged status. I do not know what the gentleman's reason is—I have no objection, of course.

Mr. CLINE. I might have been under a misapprehension of the practice, but I had assumed that a report from the committee, in order to pass it through the basket without first having recognition, must be based upon a bill of some character or upon a resolution. Now, this report is based simply upon a hearing and upon the official documents from the Secretary of the Treasury, and I asked to have it received for that reason, because the committee is not reporting upon a bill or resolution referred to it. It makes a report signed unanimously, and makes some suggestions by which they believe that the administration of the Supervising Architect's office could be improved.

The SPEAKER. The proper course without asking unanimous consent is to put it in the basket.

Mr. CLINE. I will put it in the basket, Mr. Speaker, if that is the practice.

The SPEAKER. Is there objection to the request?

Mr. MANN. Mr. Speaker, reserving the right to object, if the gentleman desires to have this report introduced and referred to some committee, that is one thing. Making suggestions will not do any good, I concede, unless it is referred to somebody.

Mr. CLINE. I am not asking to have the report referred; I am not asking for a privileged status for the report; I am asking the report be received and printed according to the request of all the members of the committee.

Mr. MANN. I think the gentleman can do that by putting it in the basket.

The SPEAKER. Undoubtedly the rule puts it in the basket, but the gentleman is asking unanimous consent. Is there objection to this unanimous consent?

Mr. MANN. Mr. Speaker, I shall have to object.

The SPEAKER. The gentleman from Illinois objects.

Mr. MANN. The gentleman understands I do not care anything about it except the matter of practice.

The SPEAKER. The trouble about the thing is there is no rule about the practice, and there ought to be one established. The gentleman from Illinois objects to this, and therefore it goes into the basket under the rule.

Mr. CLINE. Mr. Speaker, I am not asking to have this report printed in the Record. I am asking to have it printed as any other report from a committee is printed.

The SPEAKER. The gentleman is asking unanimous consent to do that, and the gentleman from Illinois [Mr. MANN] objects.

Mr. CLINE. Then I will put it in the basket.

THE FRIGATE "CONSTELLATION."

Mr. RANDELL of Louisiana. Mr. Speaker, I yield to the gentleman from Rhode Island [Mr. UTTER].

Mr. UTTER. Mr. Speaker, for some time there has been lying at the naval station in Newport, as an inspiration to the boys being there trained for service in their country's Navy, the old frigate *Constellation*. Lately it has been rumored that she was to be broken up. The Rhode Island Society of the Cincinnati, at its annual meeting on the last Fourth of July, passed certain resolutions in opposition to such a disposition of this noble old vessel, and I ask unanimous consent to extend my remarks in the Record by printing those resolutions.

The minutes of the action and the preambles and resolutions are as follows:

SOCIETY OF THE CINCINNATI IN THE STATE OF
RHODE ISLAND AND PROVIDENCE PLANTATIONS,
OFFICE OF THE SECRETARY,
New York, N. Y., July 15, 1912.

Resolutions concerning frigate *Constellation*.

At the annual meeting of the Society of the Cincinnati in the State of Rhode Island and Providence Plantations, held, pursuant to law, in the senate chamber of the Colonial State house, Newport, R. I., on July 4, 1912, Mr. Oliver Hazard Perry, of New York, offered resolutions concerning the historic frigate *Constellation*, which were seconded by Bvt. Brig. Gen. Hazard Stevens, former United States Volunteer, and a member of the Boston bar, and unanimously adopted. Mr. Oliver Hazard Perry is a grandson of his namesake, Commodore Perry, of Lake Erie fame, and great-grandson of Dr. Benjamin Franklin. Gen. Stevens received the medal of honor of Congress for most distinguished service in action during the War of the Rebellion.

The preamble and resolutions are as follows:

Whereas it is understood to be the intention of the Secretary of the United States Navy to remove from Newport harbor the historic American frigate *Constellation*, with ultimate intention of destroying the vessel as of no further value; and

Whereas when Congress provided for six frigates to be built to resist the depredations of Algerian corsairs on the commerce of the country, viz, the *Constitution*, *President*, *United States*, *Congress*, and *Chesapeake*, the *Constellation*, 38, as one of these, was built after the accepted model of Mr. Joshua Humphrey, of Philadelphia, and was launched at Baltimore, September 7, 1797, and, with the frigate *Constitution*, is now the last of the beautiful wooden frigates of the old American Navy and is hallowed in the memory of the American Nation for the battles they fought and victories gained in defense of the flag; and

Whereas the record of her achievements may briefly be stated as follows:

Going first to sea in June, 1798, the *Constellation* in August following safely conveyed 60 sail of American merchantmen from Habana to the United States, and early in January, 1799, captured two French privateers—*La Diligente* and *VUnion*.

On February 9, 1799, off the island of Nevis, in the West Indies, the *Constellation*, still under Commodore Thomas Truxtun, met the fine French frigate *Vinsurgents*, 40 guns, and, after a fierce combat of an hour, in which the enemy sustained a loss of 70 men killed and wounded, compelled her to strike, and thus added another first-class frigate to the American Navy.

On February 1, 1800, Commodore Truxtun gave chase to the French frigate *la Vengeance*, 52 guns, off Guadeloupe, and the *Constellation*, closing, fought a terrific night action, losing her mainmast and 25 killed or mortally wounded, the enemy finally escaping in the darkness, when supposed by the Americans to have sunk, and reaching Curacao in a sinking condition, with 50 killed and 110 wounded and 186 round shot in her hull, an action so glorious that Congress gave Commodore Truxtun a gold medal.

In 1801 the *Constellation*, under the same commanding officer, was the first in the race to the Mediterranean to attack Tripoli, even though she had sprung one of her masts while crossing the Atlantic.

In the War of 1812, although blockaded at Norfolk by a British squadron, her crew greatly annoyed the British.

Her subsequent peaceful cruises and stations are found in the records of the Navy Department.

After the War of the Rebellion, she was sent to Annapolis for the training in seamanship of the United States naval cadets.

In 1878 she went to France with the exhibits for the Paris Exposition, and in 1880 she took provisions to Ireland.

She then went into the naval training service, and since 1890 has been attached to the naval training station in Newport Harbor, where, viewed annually by thousands, she continues a patriotic inspiration to the American people; and

Whereas Narragansett Bay, where she is now at anchor, promises to develop into the naval base of the country, and the cost of maintenance of this frigate is small, and her removal and contemplated destruction would, in all probability, be viewed with deepest regret by the whole Nation as an unnecessary act: Therefore

Resolved, That this society earnestly protests against any contemplated removal or destruction of the frigate *Constellation*, dear to all

Americans, and respectfully requests the President of the United States, as Commander in Chief of the Navy, to issue such order as in his judgment may be desirable or necessary to retain in Narragansett Bay, the Navy's birthplace, this historic American frigate, as an inspiring monument of the American Navy and its splendid achievements:

Resolved, That these resolutions be transmitted to the President of the United States;

Resolved, That a copy be sent to the Senators and Representatives in Congress from this State.

ASA BIRD GARDINER, *President*.
GEORGE W. OLNEY, *Secretary*.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. HUMPHREY of Washington. Mr. Speaker, I ask that the gentleman from Louisiana [Mr. RANDELL] will yield to me for a statement.

Mr. RANDELL of Louisiana. I will yield two minutes.

Mr. HUMPHREY of Washington. I do not think it will take two minutes.

Mr. RANDELL of Louisiana. I yield two minutes to the gentleman from Washington [Mr. HUMPHREY].

Mr. HUMPHREY of Washington. Mr. Speaker, I hope that the gentleman from Louisiana, in his speech, will take up the question to which I am going to refer. That is in regard to the Government now entering into partnership with the local authorities in the construction of levees to prevent floods. In my judgment this is a new departure, and the establishment of a new policy for the Rivers and Harbors Committee and for Congress. I do not believe that the gentlemen who favor this policy will find that they will be able to long confine this policy to the Mississippi River. I am not going to discuss now whether or not it is a wise policy, but I am calling attention to the fact that in my judgment it is a distinct departure, and there will be pressure brought from all portions of this country for the Government to help protect communities from flood. I know that that will be true on the Pacific coast, I know it will be true in my particular district, and I believe it will be true all over the country.

Now, my particular district is an illustration of the general condition. We have a navigable river, one that is being improved by the Government. It is subject to overflow. Three years ago there was an overflow and between three and four million dollars' worth of property destroyed. The farmers themselves construct levees by levee districts under the State law. The State has been asked to help maintain these levees, and the people of that community have been writing and petitioning me to have the Government help take care of those levees, to help protect them from these floods, and if you are going to do that on the Mississippi River there is no logical reason why you should not do it everywhere in the country. As one member of the committee, I certainly will not be controlled by the proposition to limit these flood appropriations to the Mississippi Valley.

The SPEAKER. The time of the gentleman from Washington [Mr. HUMPHREY] has expired.

Mr. HUMPHREY of Washington. So I ask the gentleman to take up this question.

Mr. RANDELL of Louisiana. Mr. Speaker, I rise to discuss the item in this bill appropriating \$6,000,000 for the next fiscal year for the Mississippi River—an increase of \$2,500,000 over the sum of \$3,500,000 appropriated by the House. This addition was due to the disastrous floods of the Mississippi River which have appalled the Nation, and which occurred after the rivers and harbors bill passed the House. Of the \$6,000,000 herein appropriated, \$4,000,000 is specifically set aside for the repair and construction of levees, the lines of which were broken in a number of places in Missouri, Illinois, Kentucky, Arkansas, Tennessee, Mississippi, and Louisiana, as the enormous volume of water gathered in the river forced its way south from Cairo to the sea. I do not anticipate that any objection will be made to the action of the House conferees in agreeing to the Senate increase, as I know from your previous generous actions the sympathetic feeling prevailing for the distressed people of the lower valley.

A NATIONAL QUESTION.

The control of the Mississippi River is a question of vital importance to all who live beside its banks, and one of very great concern to all the people of the United States, by reason of the enormous interests involved. That the country is awake to the importance of this truly national subject is evidenced by a Mississippi River plank in both the Republican and Democratic platforms. The national convention of the Republican Party, assembled in Chicago in June, declared in its platform:

The Mississippi River is the Nation's drainage ditch. Its flood waters, gathered from 31 States and the Dominion of Canada, consti-

tute an overpowering force which breaks the levees and pours its torrents over many million acres of the richest land in the Union, stopping mails, impeding commerce, and causing great loss of life and property.

These floods are national in scope and the disasters they produce seriously affect the general welfare. The States unaided can not cope with this giant problem; hence, we believe the Federal Government should assume a fair proportion of the burden of its control, so as to prevent the disasters from recurring floods.

In the platform of the Democratic Party adopted at Baltimore a few weeks ago are found these striking words:

We hold that the control of the Mississippi River is a national problem. The preservation of the depth of its water for the purpose of navigation, the building of levees to maintain the integrity of its channel and prevention of the overflow of the land and its consequent devastation, resulting in the interruption of interstate commerce, the disorganization of the mail service, and the enormous loss of life and property, impose an obligation which alone can be discharged by the General Government.

To maintain an adequate depth of water the entire year, and thereby encourage water transportation, is a consummation worthy of legislative attention and presents an issue national in its character. It calls for prompt action on the part of Congress, and the Democratic Party pledges itself to the enactment of legislation leading to that end.

Moreover, the chief exponent of the National Progressive Party, ex-President Roosevelt, has in several recent public utterances declared unequivocally in favor of national control and prevention of the Mississippi River floods.

Thus we see that the three great political parties clearly recognize the obligation the Nation owes to control the mighty stream which courses through the heart of our Republic. For two centuries the dwellers on its shores have been suffering from floods because the local authorities were too feeble to control them. In view of the terrible toll of this year's overflow, it is hoped that these party declarations will be carried out to the letter. The National Government alone has the resources and the authority to undertake and prosecute to successful completion a gigantic work of this character, and it is expected by the citizens of the lower valley that the next administration—whether it be Republican, Democratic, or National Progressive—will undertake the immediate control of the Mississippi in a businesslike way and give them the protection so much needed and so long deferred.

The first levee was constructed in front of New Orleans in 1717, and there has been a gradual, steady growth ever since, until now levees extend on both banks of the river, except for short distances at the mouths of the Red, the Yazoo, the Arkansas, the White, and the St. Francis, throughout the entire valley as far north as Cape Girardeau, Mo., not including portions of the eastern bank of the river where the highlands come very close to the stream, leaving only a small area adjacent thereto subject to overflow, which has not been leveed. A large portion of the valley was fairly well protected by levees prior to the Civil War, but during that period and the years of anarchy which followed many breaks occurred in the levees and a number of them were washed away. Comparatively no work was done on them for a long period and they were in a very incomplete and weakened condition when assailed by the great flood of 1882. This flood broke the levees in 234 places and overflowed nearly the entire valley. Thereafter a splendid spirit of cooperation developed between the citizens of the interested communities, the States, and the National Government, and a great impetus was given to levee building with the result that at the beginning of this year, 1912, there were 1,496 miles of levees on the Mississippi River, many of which had been completed to the commission grade of 3 feet above the highest water, though it would have required 53,000,000 cubic yards costing about \$11,000,000 to complete the entire system to that grade.

NATION'S DRAINAGE DITCH.

Mr. Speaker, there is a great deal of force in what has just been said by the gentleman from Georgia [Mr. HARDWICK] and what was stated a few moments ago by the gentleman from Washington [Mr. HUMPHREY] about flood conditions in their localities, about the necessity of building levees there, and the question of the Government contributing to those levees if it is to build them on the Mississippi River. I shall not attempt to go into an academic discussion of that question at this time. There are too many points which I wish to touch upon in the brief space allotted to me. But I wish to suggest this point to Members of the House: It is very different when you have local floods produced by rains in the vicinity of a local stream from having floods as a result of accumulated waters of 40 per cent of the entire Republic. The floods on the Mississippi River south of Cairo are caused by all the waters that fall between the Alleghenies on the east and the Rockies on the

west. I wish to call the attention of the Members of the House to this map which I had prepared by the Engineer Department. You will notice a yellow line running near the Atlantic coast. If you will follow this line you will observe that it goes up into the State of New York and then passes through Pennsylvania, Maryland, Virginia, North Carolina, and down into Georgia and Alabama, leaving a portion only of those Atlantic States to the eastward of the line.

All to the westward of it sheds the waters that fall thereon into the Mississippi River. It is not generally known that a large portion of the State of New York, a very considerable portion of western Pennsylvania, some even of Maryland, through the Youghiogheny River; a large part of Virginia, through the New and Holston Rivers; a considerable portion of North Carolina, through the French Broad River, and portions of Georgia through several rivers, are drained into the Mississippi. Those are all Atlantic States, and yet they shed water into the Mississippi River, which is obliged to pass the city of Cairo, Ill., and thence for a thousand miles to the Gulf.

Now, if you will jump 2,000 miles across the continent you will find by this map that the western shed of the Mississippi River begins on the eastern edge of Idaho, and all the waters of Montana and practically all those of Wyoming go down into the Mississippi. A considerable area of the Dominion of Canada also flows down through the Missouri River system, and finally enters the Mississippi.

Look along the Great Lakes, gentlemen, and you will find that in New York there is the smallest little strip of territory between the headwaters of the Mississippi and Lake Erie. Look here in Michigan. The watershed of the Mississippi goes practically up to the shores of Lake Michigan, practically up to Lake Superior. Probably 41 per cent of this continent, it is estimated, has its drainage through the Mississippi. Well has that great stream been called the Nation's sewer or drainage ditch.

Now, in all fairness can it be said that you must apply the same reason—the same logic—to such a stream as that and to one referred to by the gentleman from Washington [Mr. HUMPHREY], for instance, though I dare say there is great merit in his, and I am not prepared to say I will not vote for it? I have always been considered too liberal on these measures. There is a vast difference between the floods of that mighty stream and the one discussed by the gentleman from Georgia [Mr. HARDWICK]. It is a well-established principle of common law that a man must so use his own as not to injure his neighbor. I do not blame the people who live on the headwaters of these streams for having their waters poured down on the lower valley. They have a right—an absolute right—to drain through the Mississippi. Nature excavated that ditch, and the waters naturally flow through it.

THE MISSISSIPPI PROPERTY OF REPUBLIC.

That great river is the property of the entire Union; and just as a private person must so use his own as not to injure his neighbor, it is the duty of this great Republic so to use its own property as not to injure the property of the dwellers on that lower valley.

Mr. GREEN of Iowa. Mr. Speaker, will the gentleman yield for a question?

Mr. RANDELL of Louisiana. Just in one moment. Is it the property of the Republic? Unquestionably it is. No State can legislate in regard to the Mississippi. All the navigable rivers are the property of this Republic for purposes of navigation. No State can even authorize a bridge to be constructed over the Mississippi. No State and no individual can divert any of its waters. It belongs to the United States, and being the property of the Union it certainly is the duty of Congress to legislate in regard to it so as not to injure the people who dwell on its banks. We have that power under Article IV of the Constitution, which provides that Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States. The Constitution also gives to Congress the power to regulate commerce, to establish post offices and post roads, to lay taxes, to promote the general welfare, and so forth. Now, the power to regulate commerce and establish post offices and post roads surely carries with it the obligation to control and protect the commerce, post offices, and post roads when once established. A great flood, such as that which recently swept down the Mississippi River, practically ruined commerce, even by boat, for there were no landing places for the boats in a great many places; it stopped all carriage of freight, passengers, and mails by rail and post road; it prevented hundreds of thousands of citizens from receiving any mail, or only at long intervals and greatly increased cost to the Government; and destroyed the established order of things and created chaos throughout a vast section. The general welfare was destroyed

by these floods, for surely the term "general welfare" may be applied to such a large portion of the Union as the overflowed section of the Mississippi Valley, with its more than 3,000,000 souls.

When the awful pestilence of yellow fever invaded the land Congress hesitated not to grapple with and eradicate it, for it affected the health and happiness of millions of people. When the bubonic plague appeared on the Pacific coast it was stamped out by the efforts of the Nation's servants, and a vigorous fight is now being made against it in Porto Rico and Cuba. When the foot-and-mouth disease broke out among the live stock of New England Congress took charge at once and completely eradicated it. When our war with Spain demonstrated the necessity of uniting the fleet in both oceans Congress undertook the construction of the Panama Canal, and that colossal work will soon be a reality. When it became apparent that our Western States could not, out of their own resources, reclaim and settle their arid regions in the same manner as other public domain Congress undertook the task, and over \$70,000,000 has been expended in reclaiming the desert wastes of the far West, making them bloom like the rose and become prosperous and contented portions of our great Republic.

No one questioned the right or the wisdom of Congress to do any of these things. They were great pieces of statesmanship, which will reflect credit on the Nation. Surely the reclamation of the 17,000,000 acres of overflowed lands in the Valley of the Mississippi is just as necessary from a national viewpoint and will be just as productive of welfare to the Nation as the reclamation of 3,000,000 acres of arid land in the West. Surely the development of this splendid valley and its consequent habitation by fifteen to twenty million souls, producing crops and wealth of various kinds aggregating in value every year more than the total cost of the Panama Canal, is of more importance than even that great work, of which our Nation is so proud. Surely the prevention of the Mississippi's floods, which carry in their wake death and pestilence comparable to yellow fever and the bubonic plague among human beings, and infinitely more fatal to animal life than the foot-and-mouth disease, is more worthy of national endeavor than either of those three most deserving efforts of our national father.

I can not believe that Congress will hesitate to spend the few millions necessary to protect this splendid region and make of it a veritable garden spot—beyond question the richest single asset in the whole Nation.

Now I yield to the gentleman from Iowa.

Mr. GREEN of Iowa. Mr. Speaker, I have two questions that I want to ask of the gentleman. In the first place, it is not claimed, as I understand, that these levees are needed for purposes of navigation.

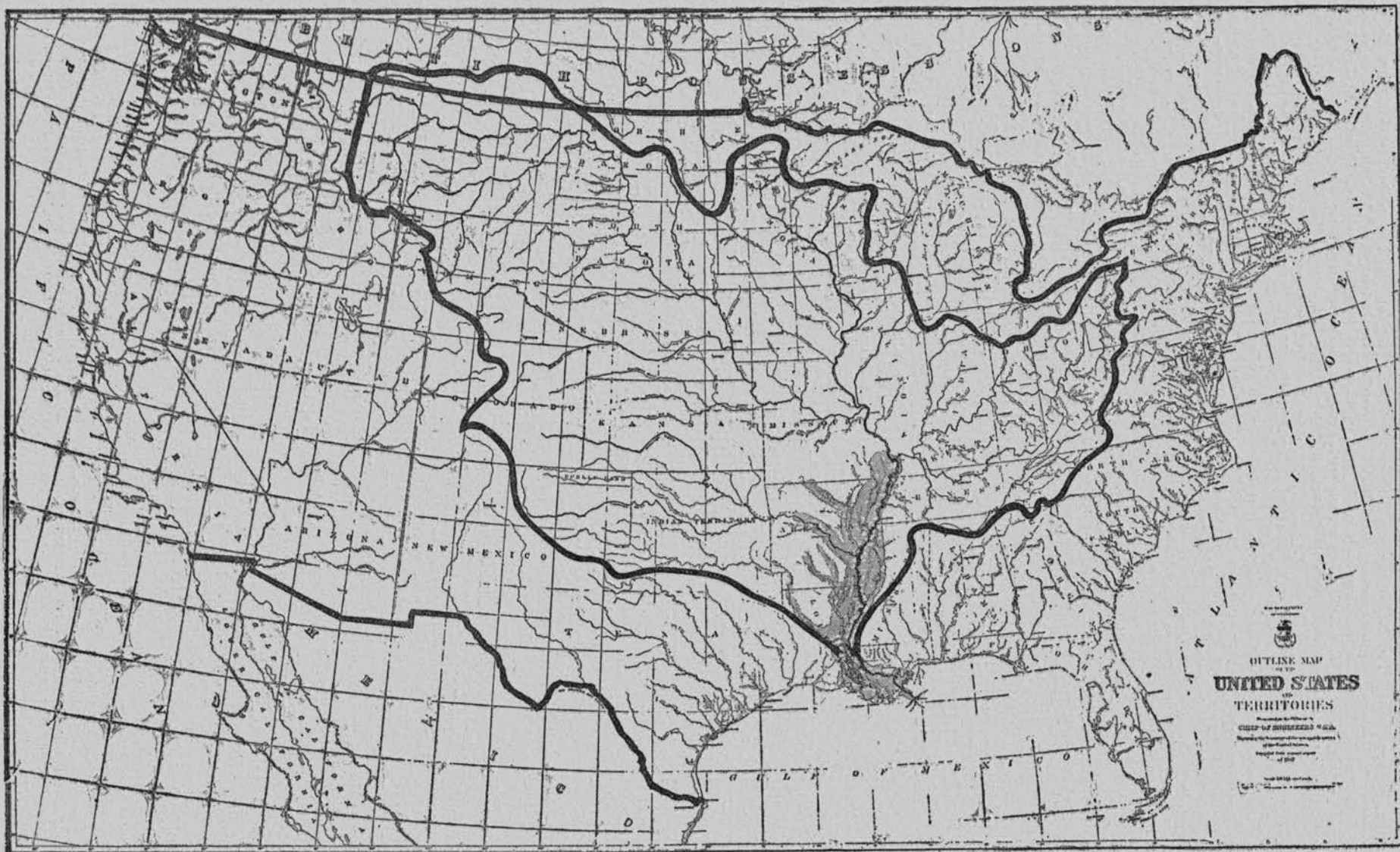
LEVEES NECESSARY FOR NAVIGATION.

Mr. RANDELL of Louisiana. The gentleman is entirely mistaken. It is claimed that they are needed for purposes of navigation. A number of the best engineers this country has ever produced have said that if there were not a single citizen living along the banks of that river, levees should be built in order to preserve the navigation of the stream. Some of the engineers do not think the levees are needed for navigation, but the Mississippi River Commission, which was placed in charge of that great river by act of Congress in 1879, and which has been spending money thereon for the past 30 years—the first appropriation having been made in 1882—has always declared by a majority of its members that the building of levees is necessary for navigation, and has built them in part for navigation and in part for the protection of the riparian lands.

Mr. GREEN of Iowa. Conceding the correctness of the statement the gentleman has just made, how far up the stream and to what extent up its tributaries does the gentleman think the principle for which he has been contending ought to apply?

Mr. RANDELL of Louisiana. The Mississippi River Commission, under act of Congress, has been authorized to build the levees up to Cape Girardeau, Mo. It was created by act of Congress approved June 28, 1879, and in 1882 the first direct expenditure of money by the National Government for levees was made under this commission, which appropriated that year about \$1,000,000 to assist in rebuilding and strengthening the levees. The commission is composed of seven members appointed by the President—three from the Engineer Corps of the Army, one from the Coast and Geodetic Survey, two engineers from civil life, and one lawyer. Its duties were defined by the act in part as follows:

To take into consideration and mature such plan or plans and estimates as will correct, permanently locate, and deepen the channel and protect the banks of the Mississippi River; improve and give safety and ease to the navigation thereof; prevent destructive floods; promote and facilitate commerce, trade, and the postal service.



MAP SHOWING DRAINAGE BASIN MISSISSIPPI RIVER—41 PER CENT OF THE UNION.

Since 1882 the commission received annual appropriations of about two millions a year until 1910, when the sum of four millions was allotted, but this was reduced in the act of 1911 to three millions. With these sums a vast improvement in the navigable channel has been secured, and a depth of 9 feet, with a width of 250 feet, is now maintained at the lowest stages of the river.

LOWER MISSISSIPPI EXCEPTIONAL.

The general idea of Congress, so far as I have been able to ascertain, in legislating in regard to that river was that from the vicinity of Cairo downward a very unusual state of affairs existed. The watershed of the Ohio has more rainfall than that of either the upper Mississippi or the Missouri, and most of the great floods on the river below Cairo come from the Ohio and its numerous tributaries. But we also have the upper Mississippi and the Missouri, with the many rivers that pour into them, all uniting in the lower Mississippi.

I wish to say that it was thought that this vast accumulation of waters from Cairo down made an abnormal condition of affairs, one entirely different from that existing in any other section of the country. And whether or not that was a wise principle to adopt I am not prepared to say, but it has been the policy of this Government for the past 30 years.

Whether that policy will extend to other rivers remains for future Congresses to pass upon. Laws are constantly being changed. Policies of government are changing. We hear a great deal about progress, and perhaps we are going to progress along lines of waterway legislation, as well as other lines. I sincerely hope so. Heretofore, however, this has been considered the one great exception which proves the rule, and Congress has not been appropriating for levees at any other point in this country, so far as I know, except on the Mississippi River.

Let me, in further answer, remind the gentleman that there are some other big streams down in my State in addition to the Mississippi. Louisiana is the best watered State in the Union. Look at the Red River, the course of which you can trace over here into New Mexico. For a long way it is the boundary between Oklahoma and Texas. It runs through the great State of Arkansas and passes through Louisiana for several hundred miles. There are five levee districts along that river. It has a very elaborate system of levees, and sometimes terrific floods, but Congress has never helped to build those levees. The people of Louisiana and Arkansas built them. The same is true in my own congressional district of the Ouachita River. I suppose there are Members of Congress here who do not know there is such a river on the map. It rises way up in the State of Arkansas, accumulates a vast body of water there, is certainly an interstate stream, and yet the people of my congressional district are obliged to build levees out of their own resources to guard themselves against the waters of Arkansas, just as those along the Red are obliged to construct levees to protect their lands against the accumulated waters of New Mexico, Oklahoma, Texas, and Arkansas.

FLOOD DAMAGE.

We are interested in levee questions and floods along several rivers in Louisiana, and they are of the greatest moment, but none of you can conceive what a flood on the Mississippi River is. I know something about it. I have lived there for 30 years. I own property on the banks of that river, and when the awful floods came down upon us like those of the past spring—the greatest on record, when the water at Cairo rose 2 feet higher than ever before in the history of this country—those waters broke through the levees in the vicinity of the city of Cairo, doing enormous damage in the State of Illinois. They broke over into Missouri and Kentucky, doing considerable damage there. They broke their bounds and swept over the fairest portion of Arkansas, and then, gaining headway, in a great avalanche they swept on to the Gulf and again snapped the levees in lower Arkansas, in upper Louisiana, in the Yazoo delta in Mississippi. Again in the southern portion of Louisiana, below the Red River, they swept on, bearing death and destruction in their path. They destroyed many millions of dollars' worth of property—no man can say how much, the most conservative estimate being between \$30,000,000 and \$40,000,000. They destroyed between 40 and 50 human lives directly, and God knows how many as the result indirectly from exposure and suffering caused by those awful overflows. They destroyed many thousands of animals—horses, mules, cows, sheep, and hogs. They swept away many barns and houses. In some instances the waters poured piles of sand from 1 to 6 feet deep over thousands of acres of land, practically destroying farms which but a short while before were of the greatest value.

You can hardly conceive the damage of a flood like this. Take it in my own State, for instance, in the southern portion, where

we plant cane. You have heard much about free sugar this session, and you know something about Louisiana sugar. We produce a great deal of it. The sugar cane is planted only every third year. When the cane is destroyed by a flood like this, no crop can be grown that year, and the loss is not only the loss of the current crop, but the loss of the seed cane for two successive crops. An enormous cost it is. Up in my portion of the State we raise cotton, and some of us attempted to plant cotton, corn, and peas after the waters receded, myself among the number. A letter came yesterday from my manager telling me that the cutworms, which are always much worse after floods, had cut all the corn down twice. Some of you farmers know perhaps what the cutworm is. On my plantation practically the entire corn crop of about 500 acres was planted and destroyed three times, once by the floods and twice by the cutworms, and what is true of my property applies generally in the flooded district. The manager says these worms are the most ravenous things he ever saw, that they are actually eating the grass on the turn rows, and are turning their attention to peas and cotton. Gentlemen, this is a serious question to the people down there. The item of loss is very hard to estimate. I do not bring these things up, however, to appeal to your sympathies. I appeal to your sense of justice. I ask the Congress of the United States to be more liberal than it ever has been before to levees, because it is right, just, and proper that it should be.

STATE AND FEDERAL CONTRIBUTIONS TO LEVEES.

Some gentlemen have asked, What about the local communities; what have they done? I see the gentleman from Pennsylvania [Mr. BUTLER] is not here now. I wish he were. In my State, Louisiana, since 1865 we have contributed for levees on the Mississippi River and the interior streams something over \$36,000,000. I can not say what was spent on levees prior to 1865, but upward of \$36,000,000 have been contributed by Louisiana and her citizens since that time. During the same period the people of Mississippi, and only a comparatively small portion of that State is subject to overflow, have expended for levee building over \$23,000,000. In Arkansas, where, in most places, they have been constructing levees for only the past 18 years, they have paid over \$6,000,000 for levees. Hence you see that over \$65,000,000 have been contributed by these three States for building levees, and for what purpose? For protecting themselves against their own water? No; but to guard against the water that falls in New York, Pennsylvania, Maryland, Virginia, North Carolina, Georgia, Alabama, and away across the continent in Montana, Wyoming, the Dakotas, the Dominion of Canada, and in all of the Great Lakes and Western States.

Forty-one per cent of this continent has poured its waters down on those people, and they have given over \$65,000,000 of their money for building levees to guard against the floods of this immense portion of the Republic. Is that fair? How much has Uncle Sam done in the meantime? He has contributed about \$26,000,000 to aid in the construction of these levees from Cape Girardeau south. Is it at all wonderful, my friends, that at this time—following this awful flood, this flood so destructive of life and property—the people down there should ask Uncle Sam to take care of his own property, to guard them against the Mississippi River which belongs to him? It certainly is nothing but right, and I am happy to say that Congress is meeting us in a more liberal spirit than ever before.

Mr. CANNON. Will the gentleman yield?

Mr. RANDELL of Louisiana. Certainly.

Mr. CANNON. I hesitate to interrupt the gentleman, for I know the House would be glad to hear him even beyond his hour. The gentleman speaks of the contribution of the United States to the levees from Cairo down to the Gulf as being something about twenty-six millions.

Mr. RANDELL of Louisiana. In round numbers.

Mr. CANNON. In round numbers. What has been the contribution for mattresses and dredging?

Mr. RANDELL of Louisiana. I can not give the gentleman the exact figures, but for bank revetment it is something like sixteen millions. It is hard to differentiate the various appropriations. There is a considerable fleet of dredge boats used to aid in the navigation of the river—something like 9 or 10—and they assist by dredging the shallow places. The river is confined to its channel by bank revetment as well as by levees.

The last report of the Mississippi River Commission showed in the neighborhood of \$14,000,000 for bank revetment to June 30, 1911, and it must have been nearly \$2,000,000 since then.

Mr. CANNON. Counting the bank revetment, there is probably something near half and half contributed by the United States and by the States and the people.

Mr. RANDELL of Louisiana. Possibly! In reality it is about \$65,000,000 by the States and local people for levees, and \$42,000,000 by Congress for levees and revetments.

Mr. CANNON. What I desire to call to the attention of the gentleman is this: I was down in the Yazoo country for the first time, off the river, a few months ago, and that, as well as the trip down the river from Cairo to New Orleans a year or two ago, was somewhat of an eye opener to me. The gentleman will recall that trip.

Mr. RANDELL of Louisiana. Yes.

Mr. CANNON. It was a very interesting trip to me, but without that experience I began away back in the early eighties, I think in 1882, to vote for a contribution on the part of the Federal Government for the navigation of the Mississippi River, and as an incident thereto the protection of that magnificent stretch of land from the Mississippi River to the hills, especially on the east, and also the magnificent area on the west. I am perfectly willing to keep at it, and I am quite in harmony with this emergency appropriation of \$4,000,000 for the levees, but I am under the impression that, so far as the levees are concerned, if we could have appropriations promptly voted by the Federal Government, and something also by the State governments, on the half-and-half system, it is entirely practical in the next decade to have the levees sufficient, if they are properly policed and watched and maintained, to protect the country upon each side of the Mississippi River. I am under that impression.

Mr. RANDELL of Louisiana. The gentleman is correct in that, in my judgment.

Mr. CANNON. I think, also, that in the stretch of two decades or three, and it may be earlier than that, from Cairo down to the Gulf, there will be no more thickly populated country than that magnificent bottom. It dwarfs the Nile—yes; a half dozen Niles. Now, I was talking with a gentleman whom I met down there on both trips, and when I was in the Yazoo Valley on that trip I found it wonderful when the danger comes and when life and property is in danger the contributions that the inhabitants make along the river for policing and warding off people who are evilly disposed and getting everybody to the work for the protection of life and property was probably worth more than all the men who could be assembled by the engineers working alone.

Mr. RANDELL of Louisiana. That is literally true. I have taken part in it myself many a time.

Mr. CANNON. I also express the hope that nothing will ever be done that will entirely relieve the inhabitants of the south Mississippi from vigilance and contributions to their own preservation, hand in hand with the Government, thus insuring navigation and protection. I want to say that much, because it is becoming fashionable—from newspaper reports—to claim that the United States should do all the construction and permanently police and maintain the levees by appropriations from the Treasury, and that the people can fold their arms and repose on downy beds of ease without attention and without care.

LOUISIANA'S LEVEE TAXES.

Mr. RANDELL of Louisiana. Mr. Speaker, I wish to say I thank the gentleman very much for what I consider his real contribution to this argument. The people throughout the entire valley are assisting in levee building to the best of their ability. I agree with nearly everything he has said. To show that the levee district in which I have the honor to reside, composed of four parishes along the Mississippi River, from the mouth of the Red River to the Arkansas line, proposes to do its part, within the past 10 days its commissioners have gotten permission from the Louisiana Legislature to issue \$500,000 of bonds for the purpose of aiding in the construction and enlargement of levees. Now, let me tell you what these people do in the direction of local taxation for levees. We pay a levee tax of 1 per cent on the assessed value on all of our property, real and personal. We pay a levee tax of 5 cents per acre on every acre of land regardless of its value. We pay a levee tax of \$1 on every bale of cotton, and cotton is the great staple crop of that country. We pay a levee tax of \$100 per mile on every mile of standard-gauge railroad.

I have stated the special tax which is contributed in the levee district in which I live. Gentlemen will understand it is not the congressional district, because we do not divide the levee districts according to congressional districts. My congressional district is composed of 16 parishes, while the fifth Louisiana levee district, where I live, is only four parishes. Each locality in the overflowed sections of the State is set aside by the legislature in a district, according to its needs and the similar interests of its people. There are 17 of these levee districts in the State of Louisiana. They are presided over by boards of com-

missioners, with local power of taxation. I am not going to go into detail now, as I know the House is getting tired, but to show you how we deal with this question my State every year contributes for levees about \$1,500,000. We certainly have been helping ourselves.

Gentlemen, we have never come to Uncle Sam empty handed; we have always gone to him with at least \$2 in our hand when we asked him for \$1 to help take care of these mighty floods which I have shown were not Louisiana floods, but the waters of the entire Nation. Think of that enormous sum of \$1,500,000 every year. Louisiana, bear in mind, is not an overflowed State. Why, some papers indicated a short while ago that the whole State of Louisiana was under water—was overflowed. We have something like 45,500 square miles of territory, and only 14,695 square miles is ever subject to overflow or could get under water, and as great as the floods of this year have been, only 40 per cent of this, or 5,878 square miles, was overflowed. So, you see, only a small percentage of the State is subject at any time to overflow, yet so strong is the levee sentiment there that every dollar's worth of property in that State, even that on the high hills—and some gentlemen may be surprised to know that we have hills—every dollar's worth of property, real or personal, in the State of Louisiana pays a levee tax. A very interesting letter from Maj. F. M. Kerr, chief engineer of Louisiana, is hereto attached as Appendix A.

The people in the Delta sections of Mississippi pay taxes in the same way for levees, and so do those of Arkansas; but, my friends, I say to you that with this overpowering force coming down upon us from the accumulated waters of nearly half the Union, it is your duty to do more to assist us than you ever have done in the past, and I firmly believe you are going to do it. I appeal to you as a matter of justice. We do not contemplate ceasing our efforts to help ourselves, but we are not in position to do much in that overflowed section. Our taxes come from our crops, our crops were destroyed by the flood waters, and we can not go on helping ourselves until we have had a chance to make more crops.

Mr. SHARP. Mr. Speaker, will the gentleman yield?

Mr. RANDELL of Louisiana. Certainly.

COMMERCIAL IMPORTANCE OF MISSISSIPPI.

Mr. SHARP. Several years ago it was my great pleasure to accompany a good many Members of Congress down the Mississippi River to view the improvements already made and those that were expected to follow. I personally was very greatly interested in what I saw there, and the possibilities of the development of the commercial trade along that river. I observe that the gentleman, who is more familiar with this subject than perhaps the rest of the House combined, from his own study of it, has in his argument devoted the most of his time thus far to the position that this great stream furnishes a drainage and is carrying the overflow water of so many other streams. Is it not also true that it differs very greatly from the other streams that have been mentioned here in the sense that it is emphatically a commercial proposition, and that with the improvements we hope will go ahead by congressional encouragement will open up many of the tributaries that now enter into the Mississippi River and afford cheaper transportation? And is it not also true that every dollar practically that is put into these levees in making them permanent in their nature also aids the stream and makes it more navigable and stable?

Mr. RANDELL of Louisiana. Unquestionably. I believe I stated that some of the very best engineers insist that those levees are essential to the navigation of the stream. I firmly believe it myself. I have myself observed that when there is a crevasse in the levee, and the waters pour out, there is a diminution in the current; and when the current slackens this great sediment-bearing stream, filled as it is with heavy material gathered in the Missouri and from the caving banks all along the river, drops a portion of its load, and you will always find a big sand bar below a crevasse, which causes very poor navigation in the river. Let me give you one little piece of history. I went to Lake Providence to live in 1882. That year we had one of the greatest floods on record. Two hundred and eighty-four crevasses occurred in the levees of the Mississippi River in the spring of that year, and for two or three years thereafter we did not have more than 4 to 5 feet of water over a number of the shallow bars. Several years later, when the breaks had been closed, the navigation began to improve, and for more than a decade we have had an average of 9 feet over these same bars. We have fine navigation in the river now, and we will always have good navigation if we keep the levees up; but if we allow them to go down the bars will show up again as in the past.

DO LEVEES CAUSE BED OF RIVER TO RISE?

There are one or two general questions I would like to discuss, and I will do it for just a few moments. In connection with this river there are many fallacies. People are accustomed to saying that the levees cause the bed of the river to rise higher and higher, and that if we continue to build the levees in a little while the bed of the river will be higher than the surrounding country. That same fallacy was uttered years ago by Abbe Huc, a Jesuit, who traveled in China, about the Hoang-Ho or Yellow River, and so many people have repeated it that it is generally believed.

Now, gentlemen, you must differentiate between the surface plane of the river at flood and the low-water plane of the same river. At my home, Lake Providence, La., the river rises and falls 48 perpendicular feet. At extreme low water it is 48 feet lower than at extreme high water. In the period of low water you look out into a great gully, as it were, with a little narrow stream trickling along at your feet, relatively speaking. But at high water it is a mighty torrent, about 2 miles wide at that point, and its flood plane is higher than the surrounding country by 12 to 16 feet. I have driven along the streets of that town, and as the waves would dash against the levee because of the wind, the spray would splash over into my buggy. But in the low-water season, which prevails for the greater portion of the year, you drive across that levee, and from a quarter to half a mile to the bank of the river, and then look down into a deep gulch there and see the water. There is a vast difference between the two.

Gen. Comstock, late Chief of Engineers, and a very accomplished man, testified before the Commerce Committee of the Senate in 1890 (see Rept. of the Secretary of War for that year, p. 3093) and gave a very interesting account of the views of the engineering world in regard to the rising of the beds of such rivers as the Po, in Italy; the Rhine, in Germany; and the Hoang-Ho, in China. He says:

From the examination of the Po and Rhine it may be concluded that if their beds rise in the leveed portions (which is not entirely certain from the data), it is at so slow a rate as not to be an important factor in the maintenance of a levee system. With levees 10 feet high, if the bed rose at the rate of 1 foot in a hundred years, the cost of raising a line of levees having the length of the present Mississippi system, about 1,300 miles, by this 1 foot would be but about \$4,000,000 distributed over the country, or \$40,000 per annum, which is a small part of the annual cost of the system. On the Mississippi the records, while not extending over a period long enough to give final results, do not, so far as they go, indicate that the bed has risen.

In regard to the Yellow River he quotes from a letter of Gen. James H. Wilson, United States Army, dated May 6, 1890, as follows:

In conclusion, I do not hesitate to say that I can not but believe that Abbe Huc was entirely mistaken in regard to the silting up of the channel, and that an exhaustive survey would prove beyond a doubt that no such silting as to raise any part of the bed above the adjacent country has ever taken place.

I understand that the present members of the Mississippi River Commission concur with Gen. Comstock's views on this subject. Its secretary, Col. C. L. Potter, Corps of Engineers, United States Army, wrote me on May 22 last:

There is little doubt in my mind that levees, which are regularly held, will not cause any rise in the river bed—probably a lowering.

A member of the commission, Mr. J. A. Ockerson, wrote me on May 7, as follows:

Some years ago the commission undertook an extensive series of observations, covering several hundred miles of river, to determine whether such a thing as a systematic rise of the river bed was going on as the result of levees. This investigation and the results show that an interval of 25 years of time failed to show a general systematic elevation of the bed, but on the contrary the low-water bed in some well-defined cases has been actually lowered several feet.

Another member of the commission, Mr. C. H. West, wrote on May 10:

The bed of the Mississippi River is not rising, but on the contrary the tendency is in the opposite direction—that is, as a result of the control of moderate floods by levees and the limited prevention of caving banks by revetment the crest of the shoals have been depressed and the carrying capacity of the channel increased. With complete confinement of the floods by levees and complete control of caving banks by an extended application of revetment, there can be little doubt that there would follow a decided lowering of the crest of all shoals and also a further increase in the discharging capacity of the channel, which would result in a lowering of the height of the flood planes.

Prof. Willis Moore, Chief of the Weather Bureau, wrote me on May 9:

So far as indicated by the low-water records, the bed of the lower Mississippi River is at substantially the same level as it was 40 years ago. However, there has been much difference of opinion on the subject, and the evidence from the low-water records is not conclusive, owing to the recognized tendency of low water to scour alluvial river beds.

Let me give personal testimony in this connection. When I went to Lake Providence to live, just 30 years ago next month, it was not unusual to see several steamboats stuck on the bars

of the river, for the depth was not more than 4 to 5 feet on the shallow places, and the zero marks on the water gauges were then where they are to-day. The Weather Bureau keeps a record of all these great rivers, and it has made no change in its gauges in the last 40 years. To-day you go along the river in the vicinity of Lake Providence at low water and find the bed of the stream apparently as it was then. You find the low-water mark, or zero gauge, the same as it was in 1882, but instead of 4 to 5 feet of depth you find 9 to 10 feet. The river bed is actually lower now than it was then. That seems to me to prove conclusively that there has been no rising, but rather a depression, though, my friends, it is true that the flood plane has risen. And why?

FLOOD PLANE HAS RISEN.

Ask the governor elect of Arkansas [Mr. ROBINSON] if in the great St. Francis Basin—6,700 square miles of area in his State and Missouri—there was not an enormous reservoir only a few years ago which protected the lower valley to a great extent by impounding a tremendous volume of the flood water. Within the past 18 years levees have been built along the front of this basin which hold back the floods. Fine towns have grown up, farms have been developed, railroads have been built—hundreds of miles of them—and peaceful, happy, prosperous communities now exist where 20 years ago was a howling wilderness of waste waters and swamp lands. Moreover, it is true that within the last quarter century there has been a very great increase in the area of lands placed in cultivation in the Valley States, especially Ohio, Indiana, Illinois, Iowa, and Missouri. Many shallow lakes which formerly impounded a large quantity of the spring rains have been drained and put in cultivation, notably, as an illustration, the East St. Louis flats. A very thorough system of farm drainage has been adopted in many places which carries the rain water off the lands almost as rapidly as it falls and rushes it quickly into the adjacent rivers, which in turn carry it rapidly into the Mississippi. And all of these things have the effect of increasing the volume of flood water.

Mr. ROBINSON. Will the gentleman from Louisiana yield?

Mr. RANDELL of Louisiana. I shall be delighted to do so.

Mr. ROBINSON. The statement of the gentleman from Louisiana in that particular, so far as it relates to the State of Arkansas, is entirely correct. Many hundreds of thousands of acres have been reclaimed from overflow and are now in cultivation. Within the total area of Arkansas less than one-eighth is subject to overflow, but it consists in large part of the most fertile lands in the State. I am entirely in sympathy with the statement made by the gentleman from Louisiana, who knows more about levees than any man living in the United States. The State of Arkansas has been contributing under a system similar, but different in some particulars, from that prevailing in Louisiana to the extent of the ability of the citizens of that State, and while I do not believe the time should ever come when the citizens of this overflowed area should be relieved from the responsibility of contributing a fair share to the support and maintenance of these levees, I do regard this proposition as national in its character, and I believe it is fair that the Federal Government should contribute liberally to the maintenance of these levees. The gentleman from Louisiana has clearly and ably disclosed the relation which the Mississippi Valley sustains to the commerce of the Nation. Its possibilities, if reclaimed to cultivation and made safe from overflow, can not be overstated. The waters which occasion these overflows, as he has said, find their source principally in other States and, gathering volume, are precipitated into the lower river, which is now protected by a system of levees maintained for the greater part by local organizations under State laws. The States bordering on the lower Mississippi have done their best to afford adequate protection. They have levied heavy taxes and in times of threatened floods furnished guards to protect the levees. It is difficult to conceive the anxiety felt by the citizens of the flood district when breaks in the levees occur. Could the history of the recent floods in the lower valley of the Mississippi be accurately written, it would unfold sacrifices and heroism unexcelled. Realizing the peril, when breaks are threatened the people combine every energy and resource to prevent them. Men and women alike volunteer their services and toil unceasingly to prevent disaster. I concur in the opinion that a part of the burden should remain on the localities directly concerned.

I believe, too, that the Federal Government should assume supervision and control of the entire Mississippi River levee system, and if the gentleman from Louisiana has time and the opportunity is afforded, I should be glad to hear him discuss that feature of the subject.

FEDERAL SUPERVISION NECESSARY.

Mr. RANDELL of Louisiana. I thank the gentleman from Arkansas for his eloquent discussion of this matter. I quite agree with him that it would be wise, eminently wise, for the General Government to have supervision and control of these levees, in order that we might have one central authority without any division of effort or of plan; and I shall do my utmost to bring about that state of affairs, although I wish to say that, so far as the State of Louisiana is concerned, there never has been the slightest friction between our local engineers and the engineers of the United States; but, on the contrary, the most splendid spirit of cooperation and united effort during all the years that we have been building levees together.

It certainly would be wiser, however, if Uncle Sam is going to do more and more of this work, as I believe he is, for us to let him have the supervision and control of these levees. I shall be delighted to see it, and I hope it will be done.

COST OF RECLAMATION BY LEVEES AS COMPARED WITH IRRIGATION.

The present levee system has cost about \$91,000,000, as I have shown, and if forty millions additional be expended to complete it, this will make a total of one hundred and thirty-one millions, the expenditure of which will have been extended over half a century. On the basis of 17,000,000 acres protected, this sum of \$131,000,000 would mean an average of about \$8 per acre. Let us compare this with what it has cost to redeem the arid lands out West. According to a letter of Prof. F. H. Newell, Chief of the Reclamation Service (see Appendix B), about 1,000,000 acres have been reclaimed, and three millions are now in process of reclamation, the expenditure so far being \$70,000,000, and the average cost \$40 per acre. This is certainly a very favorable comparison for the overflowed section—\$8 per acre to protect against floods in the Valley and \$40 per acre to irrigate in the arid regions. I heartily favored the national reclamation act, and believe it to be one of our wisest pieces of constructive statesmanship, and just as I believe in its wisdom I also think it would be wise for the Government to reclaim, at so much less cost, the magnificent lands of the Mississippi Valley.

I have estimated that the total cost of reclaiming these valley lands by levees since 1865, including forty millions to be spent hereafter, is \$8 per acre. Now, of the ninety-one millions already expended, the National Government has contributed only \$26,000,000 and the States the remainder, so that if the Government should now undertake the entire task and expend forty millions additional, aggregating a total expenditure by it for levees of \$70,000,000, it would be only \$4 per acre contributed for land reclamation in the Mississippi Valley by the National Government, as compared with \$40 per acre for reclamation of the arid lands. *Believing that this is a fair proposition, I have introduced a bill providing that Congress shall expend eight millions a year for the next four years, in addition to the sum carried in the pending bill, to complete the levees, and it will be vigorously pressed next session.*

LEVEES FURNISH PROTECTION.

I wish to say a few words on another question that is frequently discussed, and that is: Will the levees do the work? Will they save the country? In my judgment they will, beyond question. The proof of the pudding is in the eating. If we build the levees 3 feet above the flood plane of the river this year and increase the dimensions in proportion, they will be strong enough to resist the pressure, even should the water rise to the very top. It is only a question of money and dirt to accomplish this. During the present flood, the greatest on record, there were no breaks in the upper Yazoo levee district of Mississippi—124 miles in length—which is in charge of Maj. T. G. Dabney, C. E., and none in the Pontchartrain, Orleans, and Lake Borgne districts of Louisiana—208 miles in length—though no one can say what might have happened in those four districts had all of the other levees held and the entire volume of water been kept in the river. It would be prudent to elevate all of the levees at least 3 feet higher than the height attained during this flood, if possible, and proper allowance should also be made for greater elevation at points where the highest flood was prevented by crevasses above them. The problem is not susceptible of exact solution, but some of the most eminent engineers on the river, who have been connected with it for a great many years, think that wherever the levees have been already raised to the Mississippi River Commission grade, adopted several years ago, an increased elevation of 3 feet with proper dimensions would make them impregnable.

The commission grade contemplated for levees was 3 feet above any previous water, 8 feet on the crown, with slopes of 3 to 1 on each side, and a banquettes, or additional levee, on the land side, coming within 8 feet of the top, and having a crown of 20 feet. The general plan of the Dabney levees in

the Upper Yazoo district was the same height as that of the commission, with a 10-foot crown instead of 8, a slope of 4 to 1 on land side and 3 to 1 on river side, and a banquettes 40 feet instead of 20, reaching within 6 feet of the top instead of 8, thereby giving very material increase of volume and strength to the levee. Moreover, there are other details in connection with the Dabney levees, which are very important, and are set out in detail in his letter to me of May 17, 1912, which is published herewith as Appendix C. I would like to see all of the levees raised, as suggested above, and constructed along the lines advocated by Maj. Dabney.

Let it be plainly understood, however, that there is no difference of opinion among the engineers in regard to the wisdom of the Dabney specifications. The only trouble has been that heretofore money was so scarce that the various State engineers, and also the Mississippi River Commission, felt obliged to do the best they could with the limited funds at their disposal. They all realized that the levees would be infinitely safer if constructed as advocated by Maj. Dabney, but were obliged to adopt lesser dimensions owing to insufficient funds, whereas his district could carry out his plans, because it was more fortunate in a financial way, having a larger area of improved lands.

While no exact estimates have been made of the cost of such an enlargement of the levees, as I have indicated, it is thought by conservative engineers that it will amount to between 30 and 40 million dollars, and that an expenditure of that sum will enable the levees to resist any floods which may be expected to come against them.

Even during the great flood of this year the levees protected fully 55 per cent of the valley. The total area of the valley subject to overflow is 29,970 square miles, and the area normally protected by levees is 26,569 square miles, equal to 17,004,160 acres. Of this area 12,390 square miles, equal to 7,929,600 acres, were inundated, and the remainder, amounting to 14,179 square miles, or 9,074,560 acres, was saved from the flood. Hence, it will be seen that the measure of protection was very great, even this year, and warrants the cost of the entire system. It must be borne in mind, also, that not since 1903 has there been a disastrous overflow, although a large percentage of the valley would have gone under nearly every year had not the levees protected it, for the spring freshets of every season rise considerably above the normal banks of the river, and but for the levees would overflow the riparian lands. As a result of the levee system the people of the entire valley received and enjoyed immunity from overflow during each of the nine years from 1903 to 1912, and in the former year, 1903, only 6,820 square miles, or 26 per cent, of the lowland sections was overflowed. Prior to 1903 there were five years of immunity, but in 1897 the floods swept over 13,580 square miles—about 51 per cent of the valley.

The levees have constantly been growing stronger and stronger for the past 30 years, since the great flood of 1882, which inundated practically the entire valley, and it was thought that they would withstand any normal water. However, the flood of this season was not normal but very extreme. The highest point ever before reached on the Cairo gauge was 52.17, while this year it rose to 54 feet, or about 2 feet higher than ever before known. Such a thing may never happen again in a great many years. On the other hand, it might occur at any time, and our people might again suffer at some distant future day just as the people of Paris recently suffered from an inundation of the Seine, of which they little dreamed until it came upon them.

I have lived on the banks of the Mississippi River in the very heart of the overflowed section for 30 years, have been a close student of the river, and especially its levee system during all of those years, and I firmly believe that if we build our levees 3 feet above the flood plane of this year, with a 10-foot crown, a slope of 3 to 1 on the river side and 4 to 1 on the land side, and a 40-foot banquettes, and all the incidentals in regard to muck ditch, preparation of the base, and so forth, advocated by the best engineers, our people will be as safe in their property and usual avocations as those of any other section. This may cost thirty-five to forty million dollars, surely not more, and that sum is a bagatelle when one considers the enormous interests involved directly upon these levees, which protect 17,000,000 acres of the finest land on earth, an area greater than the combined extent of Massachusetts, Connecticut, Rhode Island, Delaware, and Maryland; greater than Holland and Belgium; sufficient to support in comfort fifteen to twenty million human beings; and to produce annual crops aggregating four to five hundred million dollars in value. Even at the present time, with its sparse population of about 3,000,000 souls, and in many instances inferior methods of cultivation, the

crops of this valley amount annually to over a hundred million dollars in value of cotton, sugar cane, rice, corn, oats, hay, live stock, and so forth. In its present undeveloped condition it is one of our richest national assets, and when developed—as it surely will be within a few years—when complete protection from the floods is given us, no like section of the country can boast of greater wealth.

CAN FLOODS BE PREVENTED BY RESERVOIRS?

Another subject frequently discussed and much misunderstood in connection with the protection of the lower valley from overflow is that of reservoirs. Theoretically reservoirs as means of controlling floods are all right, but practically I doubt if they will work when applied to the lower Mississippi River. The volume of water is too great to be impounded in any feasible system of reservoirs ever yet devised. Beyond question, if enough land in the various river valleys which pour their floods into the Mississippi were condemned and the rain waters impounded therein the floods could be controlled thereby, but the remedy would be worse than the disease. It would require a large area in Kansas, Nebraska, Missouri, Iowa, Illinois, Indiana, Ohio, Pennsylvania, Kentucky, and Tennessee, where lands are fully twice as valuable as in the lower Mississippi Valley, and the cost thereof would be colossal.

Reservoirs to protect the city of Pittsburgh from overflows, for instance, are entirely feasible, and they can probably be constructed at a reasonable cost—about \$20,000,000—with immense benefit to that city, but of no material effect on the Mississippi floods below Cairo. During the great high water of this year there was never any serious flood in the Allegheny River, and Pittsburgh did not suffer in the least. Hence a perfect system of reservoirs on the Allegheny and the other tributaries of the Ohio which empty into it at and near Pittsburgh would have had no restraining effect on this year's floods in the lower Mississippi. The same would apply to reservoir systems located on the upper Mississippi above St. Paul and the Missouri above Sioux City. We received no flood waters this year from the upper portions of either of those rivers, and rarely ever do we suffer from floods at their headwaters. Hence reservoirs thereon would have been of no avail.

The great floods of this year, according to Mr. Willis Moore in the letter above alluded to, were caused by "six rainstorms over the watersheds of the Ohio and lower Mississippi Rivers between March 11 and April 2, the storms following each other at intervals of a little less than four days. At the time that the rains began the lower Ohio and lower Mississippi Rivers were at moderately high stages on account of an Ohio River rise earlier in the month of March. The main floods came from the Ohio and its tributaries, principally the Cumberland, Tennessee, and Wabash Rivers, but there was a considerable increment from the lower Missouri River, the upper Mississippi River below Keokuk, Iowa, and from the Arkansas, White, Ouachita, and Yazoo Rivers. It should also be stated that the winter preceding the floods was an unusually cold one, the soil over the watershed above Cairo was well frozen, and, as a consequence, the run-off from the rains was probably much greater than the normal amount."

Neither of the three big rivers—Ohio, upper Mississippi, and Missouri—was in great flood this year, but they combined their waters at Cairo—an occurrence which rarely happens—and it was the united force of all three which caused the trouble. The rains were not in the headwaters of any of these rivers, but in the lower portions; and I know of no place or places thereon at which efficient reservoirs could have been constructed within the bounds of reasonable cost.

Mr. ROBINSON. Mr. Speaker, I desire to ask the gentleman if he has given consideration to the question of what area would be required to be submerged by reservoirs in order to accomplish the purpose of protecting this flooded area, and I would like to state in that connection that I myself have devoted as much attention as I have been able to give to a study of the subject and have about reached the conclusion that it would require the submerging permanently of almost, if not quite, an area equivalent to the area of the overflow region of the valley in order to protect against floods such as those which the gentleman from Louisiana has been discussing.

Mr. RANDELL of Louisiana. I think the gentleman from Arkansas is absolutely right. Common sense tells you that if you are going to build reservoirs and take care of a body of water like that, you must make them sufficiently large to contain the amount of water that would otherwise overflow and go over the submerged country.

A letter on that subject was recently written to me by one of the most accurate engineers of the Mississippi River Commission, Col. C. L. Potter, from which I quote as follows:

Some idea of the storage area necessary to hold back a flood equal to that of 1912, so that it would not go over the banks—in other words,

to protect the valley without levees—may be had from the following: The total volume of water passing the junction of the Red and Mississippi Rivers in one day at the crest of the recent flood would cover to the depth of 20 feet an area of 200,000 acres, or over 300 square miles.

The idea of attempting to prevent floods by the use of reservoirs is, to my mind, so utterly absurd that I hate to put in an argument against it. Of all the streams of the Mississippi Valley, the only places where land can be had at reservoir prices are at the headwaters of the Mississippi or of the Missouri. In the recent flood there would have been little effect produced on the lower river if the Mississippi had been cut off at St. Paul, and the Missouri at Mandan. There was rainfall enough south of St. Paul to do it all. It is easy enough to hold the rainfall at a point, but you can not hold it at all points. In 1905 I was on a board of engineers on the reservoirs at the headwaters of the Mississippi. I heard a paper mill just below the lowest dam on the Mississippi proper make a complaint that the Engineer office had closed the dam and left them without power to run their mill; and that was true. At the same identical time a town less than 150 miles below registered with us a complaint that the Engineer office had not closed the dam and thus protected them, as he should, from one of the most disastrous floods they had ever had. Of course they wouldn't believe it, but they had a disastrous flood within 150 miles of the foot of the great system, and with the nearest dam to them closed tight. You can not hold in Montana or Minnesota water that falls as rain in Illinois or Missouri. When you get into the Ohio or the middle or lower Mississippi Valleys, the cost of land for reservoirs is too great to be considered.

Judge Robert S. Taylor, of Indiana, one of the greatest lawyers in America, a member of the Mississippi River Commission for nearly 30 years and our foremost authority on Mississippi River problems, delivered a learned discourse on "Levees, Outlets, and Reservoirs" before the Association for the Advancement of Science, at St. Louis, Mo., December 30, 1903, and speaking of reservoirs (pp. 12 and 13) said:

On the subject of reservoirs little need be said. It is a delightful scheme to think of and talk about. It would beautify the map with lakes throughout the upper valley. It would bring the delights of boating, fishing, and swimming within the reach of millions of us to whom they are now inaccessible pleasures. It would remove all danger of a surplus in the National Treasury for a long time to come, and it might reduce the surplus in the Mississippi River somewhat.

When men think of reservoirs in this connection they commonly locate them in the headwaters of the Mississippi and the Missouri. Unfortunately it is not there that the rains fall that furnish the stuff for great floods, but in the valley of the Ohio and its tributaries. The storms that sweep from the southwest across the Ozark Mountains and on over Kentucky, Illinois, Indiana, Ohio, western Pennsylvania, West Virginia, and Tennessee are the bearers of woe to the people of the alluvial valley. One of the consequences of those rains has been to make the region where they fall so fertile and attractive that it is filled with population, farms, cities, railroads, factories, and all the adjuncts of high civilization. To occupy the country with the reservoirs necessary to hold back a great Mississippi flood would involve an incalculable destruction of property, to say nothing of the cost to build them.

There is one place where it would be possible, in an imaginative sense, to impound a volume of water that would be missed from the river. That place is the St. Francis basin, 6,700 square miles in area. By cutting that area up into subdivisions by dams crossing it at frequent intervals and increasing in height progressively downstream as rapidly as the slope of the land surface would permit a vast storage of water could be secured many feet deep at its lower border. But the only material that can be found there to make the dams is earth. The expense of stone would be scarcely thinkable. And to imprison such a volume of water at the head of such a valley as would lie below it, with only earthen walls to hold it back, would be nothing less than criminal foolhardiness. The best use we can make of the reservoir theory it to keep it to talk about.

The SPEAKER. The time of the gentleman has expired.

Mr. RANDELL of Louisiana. Mr. Speaker, I ask 10 minutes more.

Mr. ROBINSON. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended for 10 minutes.

The SPEAKER. The gentleman from Arkansas [Mr. ROBINSON] asks unanimous consent that the time of the gentleman from Louisiana be extended 10 minutes. Is there objection?

There was no objection.

Mr. RANDELL of Louisiana. Mr. Speaker, all of the engineers to whom I have submitted this question tell me they know of no feasible reservoir sites on the lower rivers, and all of them agree that levees, if built sufficiently strong, will give the needed protection.

Prof. Willis Moore, head of the Weather Bureau, was asked by me:

Do you know of any suitable reservoir sites that would store sufficient water to prevent floods on the lower Mississippi, or even appreciably diminish them, and, if so, where?

He answered:

No. The building of levees closed all the natural reservoir sites that had formerly been of assistance in taking care of surplus flood waters.

He doubtless alluded to the St. Francis basin.

The leading discussion on this subject was made by Col. H. M. Chittenden, of the United States Army Corps, which may be found in the proceedings of the American Society of Civil Engineers for September, 1908. He discusses the subject elaborately, and reaches the conclusion that reservoirs are not feasible for protecting the lower Mississippi River from floods.

The principal champion of reservoirs is Mr. M. O. Leighton, chief hydrographer of the United States Geological Survey. I

wrote him on May 3 last asking a number of questions, and annex my letter and his reply thereto as Appendix D. It will be noticed that he argues very eloquently and forcibly for reservoirs, but says:

Personally, I believe that the entire system on both the Ohio and upper Mississippi could be established for about \$500,000,000. If a suitable levee system could be established on the lower Mississippi for \$60,000,000, as assumed in your letter, there would be no question concerning the propriety of adopting the levee plan if we considered that portion of the river and flood prevention alone.

Summarizing the above, I would say that from the standpoint of the lower Mississippi alone the levee system is far preferable to the reservoir system as to cost and efficiency, but if the whole basin and the interests of all the people be considered, the reservoir system must be the final resort.

Let it be clearly understood that the friends of the levee system are not opposed to reservoirs and would gladly see them constructed wherever it is practical to place one. They realize that some help would come from any water that may be restrained. Their contention merely is that such reservoirs as can be constructed within the bounds of reasonable cost will not afford material relief, that the cost of anything like a complete system of reservoirs would be enormous, probably much in excess of half a billion dollars, and that levees so strong as to be impregnable can be built for less than one-tenth of the cost of the reservoir system. Of course, we would be glad to have both systems, and if the country ever becomes rich enough to construct reservoirs for the protection of both the upper and lower stretches of the rivers, for irrigating the lands thereon, for creating electric power, for assisting in navigation, and for any other purposes, we will gladly see it done, and certainly throw no obstacles whatsoever in the way. Personally, I would be glad to see a commission of five of the best engineers on earth created by Congress to study and report on flood prevention and control not only in the Mississippi Valley but throughout the Union, though I realize it would cost fully a million dollars and require several years to complete.

In conclusion, I wish to thank the Members of the House for their very patient and kind attention to me in this desultory discussion. I invite your earnest attention to the lower Mississippi and its riparian lands—in many respects the greatest river on our continent and well worth your study and interest. It was to obtain control of this mighty stream that Jefferson purchased Louisiana—the brightest jewel in our national diadem. The soil of its valley is described as the geological cream of the American Continent, the top dressing of leafy mold and rich loam washed from the hillsides and ravines of a hundred rivers and deposited by floods on the lands below. The control of these floods is a problem to which the greatest engineers have given their best attention for two centuries, and they are still studying it. This valley constitutes an empire in itself in area and national wealth. No equal part of the globe compares with it in resources and capacity for contributing to the food and clothing, the necessities and happiness of mankind. It certainly merits the fostering care of our national father. I beg of you to see that this care is given. [Applause.]

APPENDIX A.

STATE OF LOUISIANA,
OFFICE BOARD OF STATE ENGINEERS,
New Orleans, La., May 30, 1912.

HON. JOSEPH E. RANDELL,
Washington, D. C.

DEAR MR. RANDELL: Referring to your letter of the 1st instant, I submit the following:

1. The cost of the levee system of Louisiana since 1865, as incurred by the State and levee districts, and the United States since 1882, is \$49,100,951.57, of which \$20,394,642 was contributed by the State, \$15,949,494 by the levee districts, and \$12,756,815 by the United States.

Inclosed is a tabulated statement showing the proportions, by periods, borne, respectively, by the State, levee districts, and the United States.

Now, it must be remembered that these figures represent only what has been paid out over the signatures of the State and United States engineers, and includes none of the many thousands of dollars from time to time additionally contributed by the parishes, municipalities, corporations (with special reference to the railroad companies), riparian owners, etc., which it is safe to say can not within the same time possibly have amounted to less than 50 per cent more, or, say, \$25,000,000, the cost of the levee system in Louisiana since 1865 to date, therefore, aggregating not less than \$75,000,000.

2. The aggregate of the authorized bonded indebtedness of the levee districts of the State is \$8,570,000, of which \$7,462,500 is at this time outstanding.

3. The cash outlay so far imposed upon the levee districts in consequence of the high water of 1912, estimated upon replies so far had from the districts, aggregates approximately \$275,000.

4. Lives lost as a direct consequence of accidents due to crevasses and overflow, none. Several deaths from ill health previously contracted and later exposure did occur, but no authentic statement can really be made in regard thereto.

5. The loss of property in the overflowed area of Louisiana, including failure of crops, will probably aggregate \$25,000,000.

6. The area of the alluvial lands subject to overflow in Louisiana is about 14,695 square miles, or about 9,404,800 acres. Of this, from such information as it has so far been possible to obtain, some 38 per

cent was subjected to overflow from the high water of 1912. However, if the area that would under any circumstances have been overflowed from backwater and the failure of several of the levee systems to so far reach and protect said area be deducted, this percentage would be reduced to about 20 per cent.

In other words, of the percentage of the area of alluvial lands subject to overflow in Louisiana, overflowed by the high water of 1912, but 18 per cent should be directly charged to the breaches which occurred in the systems.

Again, the percentage of lands at large in Louisiana inundated by the high water of 1912 as compared with the total area of the State—about 45,500 square miles, or 29,120,000 acres—was but about 12 per cent.

In like manner, as above, deducting from this the area that would under any circumstances have been overflowed, as already explained, this percentage would, too, be reduced to about 6 per cent.

To separate the cultivated from the uncultivated area affected is at this time, with the data at hand, not possible.

On the score of the value of levees to Louisiana, it might not be uninteresting to note that in 1882 there were over 300 breaches in its lines of levees, the widths of which aggregated over 60 miles. In the year 1882 the assessed valuation of the State was \$197,417,125.14. With each recurring season the lines of levees were so generally improved and the number of crevasses attendant upon succeeding high waters so materially reduced that for some 15 years back such a thing became of such rare occurrence and the uplifting of the State annually so responded to the growing sense of security from overflow and its far-reaching and harmful tendencies and effects felt that in 1911 the assessment of the State reached the sum of \$546,820,340.

Of this advancement in and enhancement of values over three-fifths of it is embraced in property located in the alluvial lands of the State subject to overflow, still only tentatively protected from the ravages of caving banks and the high waters of the valley.

Reflect, then, as to the possibilities if means were only made available to mattress the caving bends and banks of the river, specially treat unstable foundations, and everywhere build the levees high enough and broad enough * * * say everywhere no less than 3 feet above the high water of 1912.

With regard, and ever at your service, believe me, always,

Yours, very truly,

FRANK M. KERR,
Chief State Engineer.

APPENDIX B.

DEPARTMENT OF THE INTERIOR,
UNITED STATES RECLAMATION SERVICE,
Washington, D. C., June 4, 1912.

HON. JOSEPH E. RANDELL,
House of Representatives.

SIR: Replying to your inquiry of May 29, I will answer your questions as follows:

1. Area reclaimed by the work of the Reclamation Service is a little over 1,000,000 acres.

2. The works now partly completed will reclaim a total of nearly 3,000,000 acres.

3. The cost per acre has ranged from \$22 to \$93, for bringing water to the land, payable in 10 annual installments, the average cost not being far from \$40 per acre.

4. The average cost to private landowner for carrying water to his land after the reservoirs and large irrigation canals have been built by the Government has been very small, as the distributing system to the vicinity of the private land has usually been built by the Government in connection with these larger works.

5. Upwards of \$70,000,000 have been expended in building the large reservoirs, canals, and other structures for distributing water.

6. Expenditures are being made at the rate of a little less than \$1,000,000 per month.

If the above replies do not cover fully your wishes, kindly let me know.

Very truly, yours,

F. H. NEWELL, Director.

APPENDIX C.

YAZOO-MISSISSIPPI DELTA LEVEE DISTRICT,
OFFICE CHIEF ENGINEER,
Clarksdale, Miss., May 17, 1912.

HON. JOSEPH E. RANDELL, M. C.,
Washington, D. C.

DEAR SIR: I have neglected to answer till now, your letter of May 4, asking for information and suggestions relating to the levees and the Mississippi River flood problem, as my attention has been quite fully occupied with the high water still hanging upon my hands.

I shall now endeavor to answer your interrogations categorically, to the best of my ability.

(1) "How long is it since there was a break in your district?"

Answer. Fifteen years.

(2) "What are the dimensions of your levees, and how do they compare with those in other districts?"

Answer. The Mississippi River Commission adopted a standard cross-section for levees, which has been in turn adopted by all the levee districts except the "Upper Yazoo" levee district.

The United States standard is as follows:

Crown width, 8 feet.

River-side slope, 3 to 1.

Land-side slope, 3 to 1, down to banquette; banquette grade, 8 feet below levee grade; banquette crown, 20 feet with a drop of 2 feet; banquette rear slope, 4 to 1.

The "Upper Yazoo" levee district adopted the following standard levee cross-section:

Crown width, 10 feet.

River-side slope, 3 to 1.

Land-side slope and rear banquette slope, 4 to 1.

Banquette crown, 40 feet wide, with a drop of 2 feet in 40.

(See inclosed diagram of cross-sections.)

Experience has taught me that 3 to 1 is too steep a slope for the land side of the levee, as it often invites and promotes sloughing of the rear slope. I have never had any sloughing on a 4 to 1 slope.

A 40-foot banquette serves four different functions, as: (a) reinforces the levee at the base, where the hydrostatic pressure is greatest; (b) covers with a superincumbent weight of earth the expanse immediately behind the levee, where foundation weakness is most likely

to develop; (c) affords a ready supply of earth for high-water fighting when needed; and (d) by using 25 feet of the outer part of the banquet crown for a roadway, ready access is afforded to all parts of the levee line; and permitting its use as a public highway, under levee board control, has proven a valuable asset to the country at large.

(3) "If there had been no breaks elsewhere this year, do you believe the levees in your district would have withstood the floods?"

Answer. I believe my levee would have held the entire flood this year if there had been no breaks elsewhere; but it would have been at the expense of a long and costly battle, with the issue doubtful. This flood exceeded all previous calculations of ultimate flood elevations, and had all the water been confined between levees I should have had from 1.3 to 2.3 feet higher water than my grade line was intended to resist. I should not have expected weakness to develop in the levee itself, except for the necessity of "topping" some parts of the line with sacks; but a much greater hydrostatic strain on the foundation would have given much more trouble there. The grade line of this levee had been fixed to meet almost exactly the flood stages that were actually present, to wit, 54 feet on the Cairo gauge and 54.6 feet on the Helena gauge. Forty-four feet had been assumed as the ultimate maximum flood elevation at Memphis, and an abnormality there gave us on the upper end of the line, along Horn Lake, 3.55 feet higher water than the previous record stage. This was held, however, without any trouble.

The excess of this year's flood heights over previous floods was on the major portion of this levee from 2.50 to 3.55 feet; only a few miles had less excess than 2.5 feet. The levee proper showed no weakness and required no work. But a great deal of treacherous foundation exists in this district, which alone was the cause of trouble. Wherever such weakness had developed in former high waters permanent and effectual means were used to combat it, and those places caused no concern. But the increased strain due to greater pressure caused many "bolls" to break out in new places, some of which appeared to be dangerous. These were all met promptly and kept under control.

(4) "If you answer 'No' to this question, how much higher would your levees have to be in order to withstand such floods as those of this year?"

Answer. My entire grade line must be readjusted for a new anticipated ultimate flood plane. This requires that it be raised from 2.5 to 3 feet in order to give a margin of 3 feet above the highest water, which I consider necessary for permanent security and confidence, which latter is an essential of perfect levee protection.

This will involve about 8,000,000 cubic yards of additional material, which, with increased unit prices for longer haul, will cost about \$2,000,000.

(5) "What changes would you suggest in the present levee system, and what would be the approximate cost thereof?"

Answer. I would suggest that the larger cross section used in this district be substituted for the smaller section now in use elsewhere, and that the grade of all levees be made 3 feet above the ultimate highest water. The quantity of material in the larger section is 25 per cent greater than in the smaller. I would recommend that my standard "muck ditch" be used generally, to be enlarged in places, for special reasons. The standard is 12 feet top, 8 feet bottom width, 7.5 feet deep.

I would also recommend that wherever treacherous foundation has developed, or is suspected, that permanent "sublevees" be built around treacherous expanses behind the levee, and water ponded over same of sufficient depth to reduce the hydrostatic pressure to a harmless degree.

This recourse I have found is essential in this district, and indispensable for combating the only vulnerable feature of this levee system.

I have not sufficient specific information of the conditions prevailing in other levee districts to undertake an estimate of the cost of a perfected system of levees throughout the regions of overflow; but, as a rough, and perhaps generous, approximate, should say \$40,000,000.

GENERAL REMARKS.

The overflowed lands of the lower Mississippi Valley can be protected from floods and fully reclaimed by an adequate system of levees, and by levees alone.

This is purely a question of cost, and of the scientific application of engineering skill.

The only remaining question is whether these lands are worth reclaiming at the price required.

The Hollanders have now on foot a project for reclaiming 478,000 acres from the sea at an estimated cost of \$211 an acre. It is not claimed that the Holland land can be made to produce more to the acre than ours can.

While an adequate system of levees for the protection of this country from devastating floods is a manifest and prime necessity, it should not be lost sight of that the fundamental feature of Mississippi River control is bank revetment. Upon bank stability depends both ability to maintain levees and to perpetuate a system of protection by levees, and also the abatement of excessive flood elevations.

It would be unfortunate if the present excitement and enthusiasm which is directed toward renewed levee building should divert attention and effort from this basic necessity of river and flood control.

While the generosity or sense of obligation of the Federal Government may go to any lengths it pleases in providing money for the building and enlargement of the levees, it is, in my opinion, of the first and last importance that specific and certain provision of an unfailing and sufficient annual appropriation be made for bank revetment, and that by the act of appropriation such sum be made solely applicable to this purpose.

Very truly, yours,

T. G. DABNEY,
Chief Engineer Yazoo-Mississippi Delta Levee District.

APPENDIX D.

MAY 3, 1912.

Mr. M. O. LEIGHTON,
Chief Hydrographer, Geological Survey,
Department of the Interior.

MY DEAR MR. LEIGHTON: I am studying as carefully as possible all problems connected with the flood system of the Mississippi River. For years I have been a strong believer in the levee system, and see no reason to change even now in spite of the present awful disasters in the valley. If other means than levees can be adopted, however, I would gladly try them, for I realize that unless the levees are made very much stronger than at present they give only a partial measure of protection. You have been a student of reservoirs, and I wish you to write me clearly your ideas on the following points:

1. Is it possible to establish a reservoir system that would impound a sufficient amount of the flood waters of the tributaries of the Mississippi River as to afford much relief in times of great floods like the present?

2. If you answer "yes" to this question, please state specifically where these reservoirs should be located, and how many of them there should be, and what would be the approximate cost thereof.

3. In answering this question I trust you will bear in mind that the records of all floods with which I am familiar have come principally from the Ohio River and its tributaries, and especially the Allegheny, Cumberland, and Tennessee; from the upper Mississippi and its tributaries; from the Missouri River and its tributaries south and east of Sioux City; from the Arkansas, the Ouachita, the Red, and the Yazoo, with their tributaries.

4. It is estimated that the levee system can be made very much stronger than at present, some say sufficiently strong to withstand any floods for \$30,000,000. If we assume that it will cost \$60,000,000 to perfect the levee system and surely guard against any prospective floods, how would that compare with the cost of an effective system of reservoirs?

Earnestly hoping that you will reply as soon as convenient, and as fully as possible, and thanking you in advance, believe me, with highest esteem,

Very sincerely, yours,

JOS. E. RANDELL.

DEPARTMENT OF THE INTERIOR,
UNITED STATES GEOLOGICAL SURVEY,
Washington, May 4, 1912.

HON. JOSEPH E. RANDELL,

House of Representatives.

(Through the Director, U. S. G. S.)

MY DEAR MR. RANDELL: I take pleasure in submitting the following reply to your letter of May 3, relative to the practicability and efficiency of reservoirs in preventing disastrous floods in the lower Mississippi Valley.

It is important to emphasize at the beginning of any discussion of this kind that if the value of a reservoir system be appraised according to its benefits in any single respect, such as the prevention of floods, it will rarely occur that any reservoir proposal will stand the test of minute examination. It is equally true that when the appraisal of benefits is confined to one locality or one stretch of river, it will frequently appear that some other method of river control will be quite as efficient and less costly. The justification for any reservoir plan must consist of all the benefits that will be secured along the entire river's course from the dam sites to the sea. It must include, in addition to flood benefits, those of compensation of low-water flow for navigation, water power, and in some parts of the country for irrigation, and it should be mentioned incidentally that the irrigation benefits are not confined to the arid regions, for it is the belief of those who have given thought to the matter that one of the most marked developments in agriculture during the next generation will be the general adoption of irrigation in humid lands. Your inquiry relates to the single purpose of flood prevention and to that portion of the Mississippi below the mouth of the Ohio. Therefore any appraisal of the value of reservoir systems which is confined to that single benefit in that region alone can not fail to be prejudicial to the reservoir principle, and it would be a mistake to reject the reservoir policy on such a standard of efficiency measurement. Unless river control and development be considered as a unit project from source to mouth, and the general rather than the local benefits be placed foremost, it is not likely that reservoir systems will be widely adopted. The foregoing observations are made to qualify the following statements, which relate specifically to the subject of your inquiry.

It is impossible to establish a reservoir system that would impound a sufficient amount of flood water in the tributaries of the Mississippi to always prevent floods in that portion from Cairo to the Gulf. Levees will always be required in the delta country. Reservoirs will prevent great floods on the Ohio and the upper Mississippi, because there are in the tributaries of these two streams sufficient natural reservoir sites to accomplish the purpose. With such systems established floods on the lower Mississippi, which result from the high water on the Ohio and upper Mississippi, could be quite effectively prevented, though a system of low levees would undoubtedly be required at many places in the delta. In the Missouri basin there is a large natural reservoir capacity in the Rocky Mountain region, but this is not sufficient to prevent floods in the Missouri. There is an enormous Missouri drainage area consisting of the Plains country in Montana, the Dakotas, Nebraska, Kansas, Iowa, and Missouri, the run-off from which will in times of great precipitation, or in the event of quick melting of a large accumulated snowfall, create floods in the Missouri and consequently in the lower Mississippi. In the Arkansas basin there is very little reservoir capacity, even in the upper portion. Consequently the run-off from the large area in which there are no reservoir sites might produce floods in the lower Mississippi under the same conditions as above cited for the Missouri. A similar observation applies to the Red River, though to a relatively less extent. The records of past floods in the lower Mississippi indicate that the greater proportion of them have been the result of flood conditions in the Ohio, therefore the correction of floods in the latter stream would relieve the lower Mississippi from an equivalent proportion of its flood damage. Nevertheless the flood menace from the three western tributaries is so great that the levee system must be continued, though it is probable that with the Ohio and upper Mississippi under control a levee system of the present standard height and strength would be effectual. Without such control it is clear to everyone that the present levee system is inadequate. I believe that the foregoing covers points 1, 2, and 3 in your letter.

Concerning point 4: We do not know how much it would cost to secure reservoir control of the Ohio and upper Mississippi. The investigations of the Pittsburgh Flood Commission indicate that all except the very highest floods could be kept below the danger line at Pittsburgh by the expenditure of \$20,000,000 for reservoirs in the Allegheny and Monongahela Rivers. These reservoirs would, of course, have a beneficial effect all along the Ohio, but that effect would grow less as the distance below Pittsburgh increases. The cost of complete systems on such rivers as the Kanawha, Cumberland, Green, and Tennessee has not been determined. Personally, I believe that the entire system on both the Ohio and upper Mississippi could be established for about \$500,000,000. If a suitable levee system could be established on the lower Mississippi for \$60,000,000, as assumed in your letter, there would be no question concerning the propriety of

adopting the levee plan if we considered that portion of the river and flood prevention alone. But if all the other benefits be taken into consideration throughout the entire country affected by the reservoir system, and if we charge off from the prospective cost of that system the cost of extra high and extra strong levees and the locks and dams, the need for which would be obviated in certain places, together with the cost of dredging, which under the present plan must be continued perpetually, and which under the reservoir plan would be obviated, the aforesaid prospective cost of \$500,000,000 would be reduced in marked degree. But even if this were not so, a mature consideration of all the benefits of the reservoir system makes me confident that the people of the United States could make no more profitable investment than that required to build the reservoirs, even were the ultimate cost as large as \$1,000,000,000.

Summarizing the above, I would say that from the standpoint of the lower Mississippi alone, the levee system is far preferable to the reservoir system as to cost and efficiency, but if the whole basin and the interests of all the people be considered, the reservoir system must be the final resort.

Very respectfully,

M. O. LEIGHTON,
Chief Hydrographer.

GEO. OTIS SMITH, Director.

Approved, May 4, 1912.

Mr. GILLET. Mr. Speaker, I should like to ask the gentleman from Florida [Mr. SPARKMAN] whether, as a result of the conference between the Senate and the House, the \$25,000 for the improvement of the Connecticut River above Hartford, which this House passed and which the Senate rejected, is now in the bill, or whether it stays out, as the Senate insisted it should?

Mr. SPARKMAN. The House conferees insisted upon that appropriation and the Senate yielded, and it is now in the bill.

Mr. GILLET. I am very glad the House prevailed. I appreciate that this is a relatively small item and is not of much concern to the Members generally, but I think the history of it is intrinsically interesting and suggestive, and at the risk of being tedious, I wish to give a summary of it, for there is a widespread belief throughout the country that appropriations for rivers and harbors depend more on influence and pull than on their merits and that the members of the committee can secure for their districts any moderate appropriation which has a reasonable argument behind it. Here is a proposition which has been earnestly pushed by a member of this committee [Mr. LAWRENCE], now the senior Republican member, for 16 years, and yet by an extraordinary complication of delays and mishaps this appropriation of \$25,000, which is only a drop in the bucket compared with what we need and ought to have, is the first we have obtained in all these years. I except surveys, for I think more money has been spent in surveying and planning than on any equal extent of river in the world; but this is the first amount given for actual improvement.

About halfway between the prosperous cities of Springfield and Hartford the Connecticut River falls rapidly for several miles over a rocky bed and thereby interrupts navigation, which now ends at Hartford, but which, if it were not for these rapids, could extend, with a depth of about 8 feet, to Holyoke, 8 miles above Springfield. Holyoke, Chicopee, Springfield, and the towns immediately tributary to them have a population well over 200,000. They are busy manufacturing centers which receive and send out enormous amounts of freight and would be peculiarly benefited by water transportation, and an 8-foot channel would be ample for freight boats.

Naturally the enterprising residents of this district have been irritated to see this splendid river flowing past their doors to the sea without carrying a ton of freight when cheap transportation was a crying need. They saw the Government spending large sums to develop streams insignificant compared with ours and watering much smaller communities, and the complaint naturally arose, Why should we not share in the appropriations lavished upon others apparently far less deserving?

This feeling inaugurated a movement back in 1873 which resulted in a survey of the river by Government engineers, but nothing more was attempted until about 1895. Business men took up the cause in earnest, and a society was organized to further navigation and cooperate with their Congressmen. The next year an appropriation was made by Congress for a survey and report, and the engineer in charge, Maj. Leach, made a report most favorable to our claims, recommending that the Government at once undertake the work and estimating that it would cost from \$2,000,000 to \$3,000,000. Maj. Leach had made no original soundings, and before the Government could adopt and commence the project an appropriation was necessary for the complete survey on which plans for the work could be based; but Maj. Leach's report had been so thoroughly favorable that we anticipated no obstacles and thought we were on the high road to immediate success.

Meanwhile an event occurred in Congress which proved in the end of great influence on our designs. Mr. BURTON, of Ohio, was appointed chairman of the Committee on Rivers and Harbors, and those of you who have been here long enough to re-

member his predecessor will recall what a revolution he made in the methods of that committee. Before his time there was too much ground for the popular opinion that a Government appropriation was obtained by pull and not by merit, and that the bills were made up by giving appropriations to enough Members to secure a majority of votes without a very careful scrutiny of the relative needs of the different projects, and then the bill was rushed through with no opportunity for amendment and little debate. Under this arrangement every member of the committee was pretty sure to secure what he wanted for his own district. This was all changed under Mr. BURTON. He allowed unlimited debate and amendment, and to pass his bills relied upon his ability to satisfy the House in debate that the items were just and fair.

When our Connecticut River project was brought before this committee, with its new chairman, asking for an appropriation of \$25,000 for a board of survey to make a thorough investigation upon which plans could be based, Mr. BURTON was unfavorably impressed by it and strongly opposed it in committee on the ground that Springfield and Holyoke had such exceptional railroad facilities that the saving in freight rates by navigation would not be enough to warrant the expense of the improvement; but after a hot contest we carried a majority of the committee and our clause was put in the bill, and the chairman, when the majority declared against him, acquiesced with good temper and made no further contest.

Then happened, however, the first of our many disappointments. The mill owners at Windsor Locks, who used as a sluiceway for their mills the existing canal, which was made for navigation and which the law compelled them to keep in condition for traffic, with the right to charge toll, were bitterly opposed to any scheme which threatened to take from them their profitable use of the water, and turned to their representatives in the Senate. Senator Platt, of Connecticut, was on the committee to which the House bill came, and without saying anything to our Senators he quietly persuaded his committee to drop our item from the bill. Senators Hoar and Lodge made a vigorous fight upon the floor of the Senate to restore the item, but were beaten by two votes, and so our chance was ended for that Congress, for there was only one river and harbor bill every two years.

In the next Congress we at once took the matter up, and our position was greatly strengthened by the appointment of Mr. LAWRENCE as a member of the Committee on Rivers and Harbors, for you all know even under the new practice each member of the committee has a peculiar advantage in securing appropriations for his district. The Connecticut River flows directly across the State of Massachusetts and is the dividing line nearly all the way between the first and second congressional districts, represented by Mr. LAWRENCE and myself, so that we were equally interested in the navigation problem, and securing a place on the committee for Mr. LAWRENCE seemed to make certain the successful result, which before was probable. Mr. LAWRENCE used his advantage so well and so gained the confidence of Chairman BURTON that while he still disapproved the project, he made no contest about it, and our appropriation again went into the bill and passed the House.

In the Senate the Connecticut Senators again opposed it and tried to defeat it, but this time they failed and we seemed certain of success until Senator Carter, of Montana, dissatisfied with some other provisions of the bill, successfully filibustered against it and made his famous speech of 13 consecutive hours, and thus the whole bill was killed. So we were obliged to wait once more for the next Congress.

This time the bill went through both House and Senate with a few unimportant amendments which the Connecticut Senators secured, and thus in 1902 we succeeded in getting a final survey ordered, for which we had struggled for six years. Maj. Leach's report had concurred so entirely with our wishes that we had little doubt that this board of Army officers would come to the same conclusions, and so we were stunned and our disappointment was bitter when in 1904 they reported that the probable benefits did not warrant the great outlay.

If this had happened under the old conditions, it would not necessarily have prevented the committee from deciding to undertake the work, particularly as this was the only project Mr. LAWRENCE, a member of the committee, ever asked for in his own district. But under the new régime it was fatal. The committee, under Mr. BURTON's lead, had adopted the iron-clad rule that they would favor no measure which the Board of Engineers reported against.

And in this connection I wish to say that while this rule has worked most unfavorably to my district, while I believe that in this instance it has worked an injustice and has postponed a public improvement of inestimable value to an energetic and

deserving community, yet nevertheless I still believe the rule is a wise one and, despite the injury it has done me, I would not favor its repeal and a return to the old practice of favoritism and logrolling. The officers of the Army are not infallible. They are likely now and then to make mistakes, as I think they did in this instance, but I have never heard their integrity or qualifications questioned. They are not subject to political influence and are universally admitted to act from pure motives, and it is but fair to them that I should express my recognition that their opposition to this project, like Chairman BURTON's, was occasioned by no prejudice or improper influence, but by their honest sense of duty, mistaken though I think they were.

When that board of engineers made its report against us a new rivers and harbors bill had been nearly completed, and Mr. LAWRENCE and I, staggered by this unexpected blow, had to consider how our project could be revived. We concluded that the best chance to save something from the wreck and evade the result of the unfavorable report was to try to insert in the new river and harbor bill a provision that the board which had just reported against us should be reconvened and should submit an additional report upon any other methods of making the river navigable, for we had reason to believe that board might favor some project not providing so deep a channel or requiring so large an expenditure as we had demanded. We succeeded in inserting such a provision in the bill, and it happened at just that time our Connecticut friends who had always opposed us were very anxious that the magnificent Hartford Bridge under construction should be built without a draw. That we had always objected to and prevented, but it would not interfere with our light-draft 8-foot navigation under this new project, so we submitted it to the managers of the navigation association at home, and under their instructions we came to an agreement with the Hartford Representatives and Senators that we would permit their bridge to be built without a draw and they should cooperate with us in opening the river to Holyoke.

But this new plan broke against the same obstacle which had halted us before, and the board of engineers reported against even this limited freight navigation. There was left us now only one loophole against complete and final failure, and that was not a hopeful one. It consisted in an appeal to the Board of Review. This permanent board of engineer officers, sitting at Washington, had been created, I always believed, to act as a still finer sieve through which doubtful projects must pass after they had been allowed by the local surveying board, and I do not think they had ever allowed a plan which the first board rejected, but had rejected many which the first board allowed, but it was our only chance, we were convinced of the justice of our case, so we appealed, and the Board of Review, after many hearings, justified us by overruling the previous decision, and deciding that the results of the improvement would justify the expenditure by the Government of a million and a half dollars, but that certain rights at Windsor Locks must first be ceded to the United States. This the owners refused to do, and we found it would require litigation and expense, and it was being considered by influential citizens when the hopes and efforts of many of the men who had been most active for navigation were directed to a new channel.

The fall of the river near Windsor which makes the rapids and obstructs navigation, at the same time creates a vast water power, only a fraction of which is used at Windsor Locks. It occurred to some of the enterprising men who were studying the subject that instead of asking the Government to build a dam for navigation as planned, they might build the dam themselves and thereby develop a large and valuable water power, and by utilizing their dam the Government with the million and a half which it was willing to spend could easily provide the lock and dredging necessary for navigation. The recent discovery that power can be carried long distances by wire has brought to notice many possible water powers before neglected, and this undeveloped and wasted fall of water, halfway between the two industrial centers of Springfield and Hartford, appealed to some of the men who were earnestly and unselfishly working for navigation as an opportunity to accomplish that end and at the same time to make a profitable investment. They felt that these rapids were, to use the famous phrase of Dr. Johnson two centuries ago, not a mere fall of water, but the potentiality of wealth beyond the dreams of avarice. So they appealed to Congress for a charter and for permission to develop water power by a dam which should be so constructed as to furnish with the Government's cooperation the long sought navigation.

This development of water power in navigable streams and the cooperation of the Government and private parties is one of the most important of the questions before Congress. It is quite new because until the discovery of how to transmit power great distances most of these water powers were valueless. I know

you gentlemen on the Interstate Commerce Committee and Rivers and Harbors Committee are giving it close study, and I hope you will soon agree upon some general principle applicable to all cases, so that the men wanting to invest their money in such enterprises can begin active cooperation, and more than all so that the navigation projects depending on it can be completed.

The Commerce Committee of the Senate last winter gave a hearing to the parties seeking this charter at Windsor Locks, and influential members of the committee stated publicly during the hearings that while they could not yet tell on what terms the charters would be granted, one fact was certain—that they must provide adequately and unequivocally for the full needs of navigation. And the prospect at last seems excellent that this long-deferred project will soon be developed in the most satisfactory and thorough way.

It was curious and, I thought, significant that at this hearing certain parties at Windsor Locks who have always sneered at navigation and opposed and blocked it in every possible way suddenly became its ardent champions, put in for themselves a rival application for a charter, and were eager to promise everything which the most ardent navigationist could desire. It showed that the cause was progressing; that its necessity was admitted by its bitterest enemies; but it also complicated the situation, because with two parties bidding for the right to build the dam, the committee was uncertain on which to bestow the charter. So that their new profession of zeal for navigation is causing us as much delay as their hostility ever did.

While this contest for the charter has been going on a company in Springfield which anticipates great advantage from river navigation determined to experiment with the present conditions on the river and to bring up coal by boat from the Sound. They found many obstructions, snags, and sand bars between Hartford and Windsor Locks, but by indefatigable perseverance succeeded in bringing up a flotilla of coal barges to their docks in Springfield. They wish to continue the operation, and it is to remove the obstructions to their commerce that the \$25,000 in this bill is appropriated. Their enterprise certainly deserves recognition. It is peculiarly gratifying to us who are interested to see that there is actually some commerce on the river, even if it is small and continued under difficulties. It is an earnest of what may be in the near future, and I was exceedingly glad that the engineer officers could be persuaded to recommend this \$25,000 on the ground that it not only helped the navigation now on the river but was a necessary part of the larger improvements which we expect will give us general navigation.

It is the first money that has been appropriated in all these years really for the improvement of the river. All the rest has been for surveys and investigation, and although this amount is insignificant the circumstances are favorable; for unless the engineers expected that the larger plan of a power dam—in conjunction with which they have recommended that the United States should spend over a million dollars—for navigation was imminent and likely to soon be developed, they would hardly have been allowed this money simply to restore old conditions. This \$25,000 is to be so expended that it will be part of the anticipated navigation. To bring that about we are no longer dependent on the decision of an engineer board, for they have already reported favorably upon it. It awaits now the action of the men who avow that they are ready to begin the enterprise. They say the money is at hand. They have their private selfish interest to stimulate them, and the only obstacle which is delaying us is that the scheme looks so attractive that two rival companies are stretching for it and fighting each other, and until their legal contest is ended or compromised neither can begin. I am hoping that this new hindrance will be soon disposed of, and that the project which has cost so much effort with so little result for so many years is about to be consummated in a more enduring and satisfactory form than any of the first plans.

I had no intention of taking so much time on this subject, which is of more local interest to my district than of general interest, but I am glad of the opportunity to give a connected statement of our efforts for the navigation of our principal New England river, and I think it may also be useful as contradicting the current impression that pull and political influence are all that can gain appropriations. Undoubtedly they still avail, and without work and influence no appropriations will be won; but the old times when the least meritorious project could be carried through by an influential Congressman on the committee regardless of its merits have passed away never, I hope, to return. Here is a case where a member of the committee sought for 16 years one solitary appro-

pration for his district, and though in that time he went from the foot to the top of the committee he could never succeed, simply because the Army engineers who were ordered again and again to investigate as often reported that the improvement though desirable would not warrant the necessary expense.

And the present situation is also of general interest as an indication of the new opportunities the transmission of power over long distances by wire has given both to the United States and to remote localities. Now, the innumerable dams which the Government has constructed and maintained for navigation purposes can, with little additional expense, become great sources of valuable salable power, and in future development private corporations will be glad, for their own profit, to build the dams necessary to make streams navigable and thus save the Government vast expense.

We should speedily adopt principles and rules under which such corporations may act, and I trust one of the first results of this new discovery and new policy may be a huge dam at Windsor Locks, which will distribute power and add to the development of that whole region, and, more important yet, will at last open up navigation to the Sound from that busy industrial center which for so many years has seemed on the point of securing the advantages of river transportation and each time has had its expectations rudely shattered by the veto of the War Department. The War Department has now reported in favor of this new project, capital is ready, two different corporations are contesting for the privilege, and I trust this rivalry may soon be settled, the necessary charter granted, and the long-postponed navigation at last consummated.

Mr. NEEDHAM. Mr. Speaker, I favor the adoption of the conference report. There are several items in the bill which are of great interest to the people whom I have the honor to represent, and I desire to take this opportunity to express my gratification that the bill is soon to become a law, and in doing so I feel called upon to express the appreciation of the people of my district for the consideration shown them as evidenced by several items in this measure.

After a struggle lasting many years, at times presenting many discouragements, the people, not only of my district, but of the whole State of California, will be gratified to realize that provision is made for the improvement of the harbor at Monterey, Cal. The State of California, with its immense coast line, has long been anxious for more harbors, and the inauguration of the project at Monterey, which will result in an additional deep-water harbor on the Pacific coast, will, I am sure, be received with genuine satisfaction by the people of the State which I have the honor in part to represent upon this floor. The making available of this splendid deep-water harbor by the building of a breakwater is destined to play an important part in the commercial development of our State. It means the certain construction within the near future of a cross-State railroad which will be built from the great San Joaquin Valley to the harbor at Monterey. It means an additional outlet for the products of the greatest producing section of the State of California.

Provision is made for the building of a breakwater at Monterey, at a cost of \$800,000, upon two conditions—first, that the State of California shall provide \$200,000 toward the cost thereof, which condition has already been met by a direct appropriation of the Legislature of the State of California; and, second, upon condition that provisions are made satisfactory to the Secretary of War for the building of a railroad from the San Joaquin Valley to Monterey, which condition, in my opinion, will be met within the near future. This cross-State railroad from the great interior valley of California will carry to tidewater the products of as rich a section as there is in the world, a section of our State which, in the variety of its products, is unsurpassed; a section which produces every known product of the soil and of the mountains immediately adjoining—the richest products of the forest and mine.

The building of the railroad to this newly constructed harbor means a cheaper outlet by reason of the short haul and the consequent decreased freight rate for the lumber and mineral products of our mountains and for all the products of the great valley, including wheat, barley, oats, hay, alfalfa, dairy products, dried fruits, canned fruits, raisins, citrous fruits, wine, and every product of the farm and of the soil. It marks, in my opinion, a new era in the development and prosperity of the State of California.

I am also pleased to know that the conferees have included in the bill amendment No. 119 of the Senate, which is in the following language:

That a preliminary investigation be made to determine whether a system of impounding reservoirs at the headwaters of the Allegheny, Monongahela, and Ohio Rivers and their tributaries is needed and practicable to provide sufficient water during dry seasons to operate the present and proposed system of locks and dams in these rivers, and to

what extent the Federal Government, on the basis of their benefit to navigation, is justified in cooperating with local communities which may be interested in the construction of such reservoirs primarily for the purpose of flood prevention, and the feasibility of operating such reservoirs for the double purpose of flood prevention and improving navigation; and that this investigation be conducted by a board of three engineer officers, to be designated by the Chief of Engineers, United States Army; and that the results of this investigation be reported to Congress, with such additions as may be made thereto by the said Chief of Engineers, not later than December 7, 1912; and that for this purpose the sum of \$5,000, or so much thereof as may be needed, be, and the same is hereby, appropriated.

Personally I would like to see this amendment go further. However, I realize that this amendment is a new departure in legislation and a recognition of a very important policy, which policy, I trust, will be enlarged and broadened within the near future. The Nation must take a further step in its legislative policy with regard to the waters of our rivers. It must be recognized by advanced legislators that there should be inaugurated a policy of cooperation between the Nation, the State, individuals, and local communities looking toward the conservation of the waters of our streams and a utilization of such waters to beneficial use. To this end there must be inaugurated within the near future a policy which will build storage reservoirs upon the headwaters of our rivers so that these reservoirs may furnish water for the standardization of our navigable streams; and, furthermore, to the end that such waters so stored may be brought to beneficial use in the irrigation of lands which can not be profitably cultivated without irrigation.

A wise progressive policy makes it incumbent upon the Nation to lead the way in legislation which will bring about this cooperative policy of conservation. The provision above quoted, I sincerely trust, is the beginning of a liberal policy which will bring into active cooperation the Nation, the State, and the local community in the wise use of the water of our various streams. It is foolish to further postpone such a policy. It is, to my mind, not only foolish, but it is extravagantly wasteful to continue to do nothing because of a lack of cooperation between these agencies. There has been too great an insistence by Congress that it will do nothing with our streams except to promote navigation. We must recognize that the problems of navigation, flood prevention, storage, and irrigation are so interwoven and so overlap that it is positively essential that the Nation, the State, the individual landowner, and the local community must cooperate, and in this cooperation it is, to my mind, the positive duty of the Nation to lead the way.

We have a situation in the State of California which demands that this cooperative policy be immediately inaugurated. The complete use of the waters of the San Joaquin River and the Sacramento River demands the entering upon this policy without further delay. I am, therefore, gratified that there is such a recognition of this policy contained in this bill, and the friends of this policy will continue this agitation until a full recognition of the policy is obtained and its inauguration recognized by law.

After many years of effort we have, with the active cooperation of the commercial bodies of the great San Joaquin Valley, particularly the traffic association of the Chamber of Commerce of the City of Fresno, succeeded in enlisting the attention of the authorities of the United States to the problems of the San Joaquin River. We have obtained for this river greater consideration from the Engineer's Office of the Government than ever before, and we have brought these problems to a further point looking toward their solution than has hitherto been attained. The problems of this great river demand the building of storage reservoirs upon the headwaters of its tributaries in order that the stream may be standardized for the purpose of flood prevention, navigation, irrigation, and drainage. The improvement of this river by a cooperative policy between the Nation, the State, and the communities tributary to it will be of inestimable value and will result in unprecedented development.

The people whom I have the honor to represent are so deeply concerned in the utilization of the water of the San Joaquin River for the purpose of irrigation and navigation that they will not rest until the river is comprehensively improved and its water put to all the possible beneficial uses which a wise system of conservation demands.

Mr. SPARKMAN. Mr. Speaker, I yield to the gentleman from Missouri [Mr. RUSSELL].

Mr. RUSSELL. Mr. Speaker, I have neither the time nor the disposition to detain the House or to delay the vote upon this important measure by a lengthy discussion of its provisions, but only desire to express my approval of this bill as a whole and especially to express my own appreciation and the thanks of the constituency that I represent for the liberal spirit shown by the River and Harbor Committee and by this Congress in favorably considering matters of such great importance to the people of the Mississippi Valley. This bill appropriates

\$6,000,000 for the improvement of the Mississippi River from the mouth of the Ohio River to the mouth of the Mississippi, \$4,000,000 of which will be expended in repairing and constructing levees from Cape Girardeau, Mo., south. This is much more than was ever before appropriated by any Congress for the same purpose.

The recent unprecedented flood from the Mississippi River and the great destruction of life and property wrought by it has convinced us all of the necessity and the importance of this increased appropriation.

There is but one criticism that I would make of the past or present policy of this Government in handling the Mississippi River question, and that is I believe more money should be expended in revetment work, making the banks of the river permanent, and thereby protecting the levees from destruction by caving banks and at the same time protecting the channel of the river from the obstruction that necessarily follows the falling in of acres of the most fertile lands under the sun.

As a near neighbor of Cairo, Ill., residing as I do in the Missouri county immediately across the Mississippi River, I heartily approve of the appropriation contained in this bill for the protection of that growing city and important commercial center, and I congratulate my old-time friend, Capt. THISTLEWOOD, who represents that district so well, for his success in obtaining this just recognition for his city.

I also desire to express my approval and appreciation of the item in this bill providing for the examination and survey of the St. Francis River in Missouri, which the committee kindly placed in the bill at my request.

The Government for many years appropriated money to improve this river, but in the Fifty-ninth Congress, which was before I had the honor to be here, the usual appropriation for this river was discontinued; and I now hope, by this examination and survey, to again get this important local stream restored to its former place as a recognized navigable river.

Mr. Speaker, I favor this bill, and as it is important that levee work should be done at once, so as to protect the country from another possible flood, I hope it will be promptly passed. [Applause.]

The SPEAKER. The gentleman from Florida [Mr. SPARKMAN] has two minutes remaining. Does he desire to use that time?

Mr. SPARKMAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SPARKMAN. Mr. Speaker, has a member of the Committee on Rivers and Harbors who is not a member of the conference committee any time at his disposal? The gentleman from North Carolina [Mr. SMALL] wanted to be recognized. I am willing to yield to him the two minutes I have left if that will answer his purposes.

The SPEAKER. The Chair will first recognize the gentleman from Illinois [Mr. MANN] for one hour.

Mr. MANN. I yield five minutes to my colleague from Illinois [Mr. THISTLEWOOD].

Mr. THISTLEWOOD. Mr. Speaker, there is no section of the country, outside of the section immediately surrounding the city of Cairo, that suffered more from the great flood that visited that western section during March and April of this past year. There is no section of the country that needs the protection that only the United States Government can give to its rivers by the building of levees and of revetment work more than this section.

The city of Cairo is most peculiarly situated, being at the junction of the Ohio and the Mississippi Rivers; two great rivers within themselves that drain with their tributaries more than 27 States. But when you remember that to the Ohio River, not more than 50 miles above Cairo, is added the Cumberland River and the Tennessee River, and a short distance above, the Wabash, in my judgment these three rivers combined discharge more water into the Ohio than comes from the upper Mississippi. And there is some peculiarity about the rapid rise that prevails when these rivers are at flood stage. In 1883 we had the highest water at Cairo ever known since the Government established the Weather Bureau, yet the water of this great flood that has just passed or is passing exceeded the height of that flood by 2 feet; but in the year 1884, making three high-water periods—1882, 1883, and 1884—the Ohio River was $3\frac{1}{2}$ feet higher at Paducah than it was in 1883, the highest water for Cairo up to that period. This great flood that has passed or is passing was 2 feet higher at Cairo than was the flood of 1884, but yet not so high at Paducah, 25 miles above. This recent flood, I think, was the most destructive flood that ever visited the valley of the Mississippi River. The loss of lumber, buildings, corn, hay, alfalfa, wheat, live stock, and other farm products would perhaps amount to \$5,000,000 alone in and around Cairo, and that was not the greatest loss. If you

could have been with me on that April morning when the Big Four levees gave way, and could have seen, as I saw, streams of people deserting their little cabins with fear and alarm depicted on their countenances, you would know how to appreciate the loss to those poor people who were driven from the drainage district. It was a loss including not only their household furniture, their family supplies, but even their houses were beaten to pieces by the raging waters. What could be more distressing than to see a poor woman with her house about to be swept away, all that she had right there, and perhaps with two or three little children who had become greatly alarmed clinging to her in great fear? I refer to the people who were driven from this drainage district, the workshop of the city of Cairo. They are the laboring classes of people, but they are the producing class, working in the mills and shops and factories, and while their loss was not great, yet in proportion to their ability to meet the loss, it was greater than all the others. The wonder to me is that so few of them lost their lives, but this question can only be explained by the fact that the river rises gradually at first, giving the people a chance to escape by dikes and railroad tracks, and those that were left clung to their buildings, some of them taking refuge in attics until they were picked off by rivermen in skiffs. Is it any wonder that people become alarmed and is it surprising in times of great calamity like this that people are willing to open their pocket-books and come to the relief of those who have had everything swept away?

While we do not ask any of this appropriation that is allotted to Cairo for the purpose of making restoration, or the rebuilding of homes for the people who lost all, we do ask it that the people may be safeguarded in the future against such losses; that labor may be furnished to them that they may take care of themselves. Without this appropriation from the National Government it is doubtful if we could do this work ourselves. This flood, while it was resisted by the main part of Cairo, entirely suspended traffic, destroyed railroad embankments and bridges, and nearly all means of communication between the high land and the city of Cairo. I think one dollar expended in building up levees good and strong goes further in the end than two dollars expended in temporarily caring for the people. The American people are very charitable, and they rush with open pocket-books to assist the distressed communities. They are willing to provide for them, but is it not better for the Government to make these appropriations so that this distressing condition will not be likely to occur again?

I think with the \$250,000 that you will vote in this bill and the \$250,000 that will be raised by the citizens of Cairo, the \$20,000 at Mound City with a like amount to be expended by them, we will be able to put the levees surrounding this territory in shape to withstand a much larger flood than this one was. I do not think it would be prudent to say that with this we could bid defiance to the floods in the future. The possibility of floods in the Mississippi Valley is great, and where great rivers come together and where the outlets have been narrowed during high-water periods, it is apt to be many days before the river declines perceptibly. What is the means of protection? I know of nothing else than well-constructed levees built high and wide and strong. I can not say too much about what has been done under the direction of the Mississippi River Commission on the lower part of the river and even above Cairo. If by revetment work or any means we could stop the caving banks along the Mississippi River, we would go a long way in arresting the great and destructive floods. Where the banks cave the earth is carried in sediment but a short distance down the river and deposited again, making an obstruction to navigation and an obstruction to the rapid flowing of the stream. The caving banks are largely where the trouble comes from in filling up the channel of the stream. Wherever there is a caving bank there is sure to be a sand bar but a short distance below it, and there cross currents are caused in the river which in turn starts a cut in another place. I think the engineers who have studied the Mississippi River believe in letting the channel scour out the stream where it can be done and thus make a greater width to the river and to the flow of water in flood times. I would apply two remedies to this condition of the river: Build up the levees and maintain the channel as free from sand bars as it is possible to do. There is not any question but that the bars in the channel of the river have a great deal to do with the stage of the river at all times.

Most of the people who lost their homes and their all in the flooded district were cared for by the citizens of Cairo and of the surrounding country, aided by patriotic National and State Governments. I feel sure that many of them have not gotten back into their own homes yet. We need this appropriation well expended, and I hope that no time will be lost in closing the

gaps that were made by this great flood in and around the city of Cairo.

The question was asked by the gentleman from Washington if there had ever been any money appropriated for improvements on the Ohio River. My recollection is it was not answered, but I remember very distinctly only a few years ago, less than 20, the old town of Shawneetown was nearly wiped away in a great and destructive flood, and the people of the West, especially the Central West, contributed largely to the maintenance of the people who were driven from their homes, and the Government made an appropriation to build and restore their levees which were broken or destroyed.

I believe in levee building. I believe it is the only way the destructive floods can be prevented from doing great damage. The question is often raised why the river increases in height as the years go by during these great floods. If there were no other reason to cite, the very fact that great stretches of territory are being leveed and the water is year by year confined to narrower channels than prevailed years ago. It is not a new thing, Mr. Speaker, for the Government to appropriate money to build levees. The Mississippi River Commission has been in existence for more than 30 years, and a large part of its business year by year has been the building of levees and the closing of gaps along the Mississippi River and its tributaries. Then years ago levees were built opposite the city of Cairo in Missouri, partly by the Government and partly by the levee district. I think, on a half-and-half basis, and this is what the city of Cairo is proposing. We are only asking that the Government shall contribute one-half of this levee enterprise, and I feel that the money will be returned in increased business of the country, increased property interest fourfold to the Government within 10 years. The Government has property of its own in the city of Cairo. They have a Federal building and custom-house which cost in the neighborhood of half a million dollars. They have a marine hospital that cost over \$100,000. The Government has large interests in Cairo. It is the head of deep-water navigation. The Government gauge at Cairo is a guide to all the points below us as to the height the river may be expected to rise during any flood and is watched as carefully by the planters around Vicksburg and Greenville and other places along the river as are their own reports. It is a wonderful help to the farming community. It is a great help to the business interests to have this Government river report made daily so that each can calculate and take chances for himself. So this is no new departure for the Government. They have been building levees, or helping to build them, ever since the organization of the Mississippi River Commission, and in some places they build them outright.

This land, embracing the Mississippi Valley, cared for, is the most productive of all land, in my judgment, in the world; and any government would be very neglectful of its duties to its citizens and be wasteful and destructive of its own resources that would permit this great body of land to lie idle because of the expenditure of a few million dollars in levee building. I make no special plea for the city of Cairo beyond the surrounding country. I am just as anxious to see the people of Mr. RUSSELL's district in Missouri, that is right across the river from us, protected from the flood waters. They are entitled to be protected. They are entitled to have their bank revetments made; and I am sure Mr. RUSSELL, a very active and influential Congressman, will see that the levees on his side are restored and built stronger and higher. Of course all this will be forcing the water up on us, but we are not so selfish as to want to receive all the benefits that levee protection gives to any other section. This is a great country, and this Mississippi Valley is a great body of land. It is said a man is a benefactor who causes two blades of grass to grow where one used to grow. The improvement of this great body of semioverflowed land will do more than to cause two blades of grass to grow; it will cause four. I think we have just begun to reclaim the Mississippi Valley.

There is one thing to be remembered by those who live along small inland streams—the necessity for levee improvement does not there exist for the reason that the water in such streams rises rapidly and soon passes, doing little damage; but when these great rivers fill up, you may calculate that you have a month's water on your hands to carry off. The ordinary outlets of the river are not sufficient to carry it off. If rivers were only intended to be used to drain off the surplus water from the land, there would be, perhaps, as much necessity for their improvement as there is to-day, but the Mississippi River is a great freight carrier. The Mississippi River and the Ohio River combined annually transport many millions of tons of coal, iron, grain, lumber, and all the products which enter into the trade of the country. I have in mind now the immense car-

rying capacity of some of the coal boats that are running on the Ohio and Mississippi Rivers. The great towboat *Sprague*, in her record-breaking trip down the river, towed 56 barges of coal, of 1,200 tons each, or a total of 67,200 tons. If this coal had been loaded on cars, of 30 tons to the car, it would have extended, coupled up in a solid train, over more than 20 miles of road. The tow, when placed on the river, was 900 feet long and more than 300 feet wide. It only shows the possibility of the Mississippi river as a great freight carrier and freight regulator. I am told that coal can be profitably towed from Pittsburgh to New Orleans on the river now for 75 cents per ton, whereas the cheapest rail rates would be perhaps three times as much. All of this great carrying capacity ought to be used by the Government as much as possible, and one of the reasons why it is not used more, perhaps, is the uncertainty of having a stage of water that will permit of river traffic the year round. If the conditions of the river could be improved to such an extent that we could have every-day transportation, so that a man's property would not be going to waste, or he would not be eating up what he had earned during the period of fair weather and good river conditions, it would be a great and valuable asset to the Government, much more valuable than it is now.

We need to care for the river. We need to protect its banks. We need to prevent the formation of bars, if possible. We need to so manage the river that we can have this transportation, if not all the year, then as nearly so as possible. To do this we must use the river. To do this we must stimulate the raising of products along its banks. We must stimulate the growth of business in and along the river. There is no soil in the world that will produce as much if properly managed as does the bottom lands of the Mississippi. The Mississippi Valley, of which the Mississippi River is the great central figure, produces 75 per cent of the wheat, oats, corn, barley, cotton, live stock, hay, fruits, and other commodities of the United States; and while much is lost through overflow, if the Government will take hold of it and expend annually a sufficient sum to restore the broken levees and to raise those that are not sufficiently high we would hear but little of the loss and destruction of property along its banks. The State of Mississippi, I am told, has the best levee system of any of the Southern States. As an evidence of that fact no breaks occurred in any of its levees this year. They have made it a business to build them high, strong, and to care for them, and under their efficient management it is returning fourfold the money invested.

I do not hesitate to say that the destruction of property measured in dollars and cents, saying nothing about the loss of life, is equal to a sum that if properly expended would make the levees of the Mississippi River almost impregnable and render life and property behind its banks secure.

Mr. MANN. Mr. Speaker, I yield 10 minutes to the gentleman from North Carolina [Mr. SMALL].

Mr. SMALL. Mr. Speaker, I simply wish to make two observations in respect to this bill. First, as to the Mississippi River and the great valley which it drains. I wish to bring to the attention of the House a broad aspect of that subject in order that some plan may be devised by Congress which will avoid the necessity of constant criticism annually levied at the appropriation for that river, as has been the case for many years. Any man who studies the Mississippi River in his first experience with it as a river-and-harbor project will of necessity be prejudiced against it because of the small number of water carriers which traverse it, and the small amount of commerce which is carried upon it, and the slight degree to which its navigability is affected, as compared with the large appropriations which are made for it. I say these considerations together will prejudice the mind of a man who first begins the study of this river in order to determine its merits as a project worthy of improvement. However, in another aspect, when it is considered that from Cape Girardeau to its mouth at the Gulf there is concentrated the drainage of almost one-half in area of our territory, a condition which was so happily explained by the gentleman from Louisiana [Mr. RANSDELL] in his interesting speech, and when the conditions resulting from this great volume of water upon the riparian lands are considered, the fertility and value of those lands, the large population and the wealth of that section, and when we consider, further, that of necessity it is not a local question, is not confined to any State, and is beyond the potential and financial power of any State or of even any section of the Union to take care of, I say we can not avoid the conclusion that it is a project involving national consideration and demanding Federal support.

We have been making appropriations for this great river, particularly for levees and revetment and bank protection, from

Cape Girardeau to the Gulf, for a number of years. The expenditures in a large degree are made and the plans formulated by the Mississippi River Commission; but we have never had and have not to-day any plan by which there is a definite cooperation between the States and the localities along that river and the Federal Government. There is no coordination between the engineers and other assistants furnished by States with the Federal Government. I do not believe that this problem will be properly settled until after due consideration Congress shall enact a law under which the proportion which the States and the Federal Government must contribute shall be established upon some uniform and equitable basis. I believe we should go further and place the entire project under the control of the United States Army engineers, and thereby place the entire responsibility upon them. I think no higher duty can devolve upon the River and Harbor Committee and the friends of the Mississippi River, particularly in its lower section, than to devise some plan for submission to Congress by which this shall be recognized as a great national problem and a national duty, so that each year we may make appropriations upon some equitable scheme of cooperation between the Federal Government and the States of the section immediately affected.

I wish to make only one further observation, Mr. Speaker. I think in many respects this is one of the most valuable bills which has been brought to the House in the new and constructive legislation which it contains. I have only the time to review now one feature.

Criticism is made from time to time by opponents of river and harbor improvement, who say that the expenditures which we make do not develop a sufficient amount of commerce upon our navigable rivers commensurate with the money expended. To some extent this criticism is justified and merited, and it is due to our relying too largely upon the proposition that an improved channel means commerce. It means no such thing. Other conditions must exist before commerce may be expected to develop upon any navigable stream. One of the conditions I wish to advert to for a moment is this: We must have upon our navigable streams adequate water terminals. One of the difficulties in promoting commerce upon our interior rivers, and notably more on the rivers in the Mississippi Valley, tributary to the great Mississippi, has been this lack of adequate water terminals, not only a terminal which shall have sufficient area, but which shall have a modern warehouse equipped with all modern appliances for transferring freight from the water carrier to the warehouse. There must be physical connection between the water terminal and the railroads serving that community or section, and also adequate highways leading to the terminal. Then we should go further, as we have attempted to do in the Panama Canal bill, and compel a system of prorating between the railways and the waterways, so that we may have long-distance shipments, partly by rail and partly by water. It is recognized to-day that one of the principal factors in our success in building up so great a railway transportation system lies in the fact that the railroads have standardized their tracks and equipment and by prorating one with another have built up a system of long-distance traffic so that they embrace the entire country.

The SPEAKER pro tempore. The time of the gentleman from North Carolina has expired.

Mr. MANN. Mr. Speaker, I yield five minutes more to the gentleman from North Carolina.

Mr. SMALL. Mr. Speaker, if prorating in this way has enabled the railways to build up long-distance traffic, serving the needs of the entire country, why should they not also prorate with the water carriers, and why should not a person having freight for shipment which may be carried partly by water and partly by rail be able to obtain a through contract of carriage so that it may be carried upon both lines and under one common contract or bill of lading?

Mr. Speaker, this bill contains a provision that in every survey authorized in this and in subsequent bills the engineers shall make a report indicating whether there are water terminals, whether they are adequate; if there are water terminals which are not adequate, they shall specify the particulars in which they are inadequate, and, in addition, if there are no water terminals whatever they shall indicate in a general way the proper location of such terminals and the necessity for them. This information will gradually tend to induce Congress to provide that no appropriations shall be available until the States or municipalities shall construct adequate terminals. In my opinion, this would be a just condition. No section is entitled to have a stream or harbor improved, unless they intend to utilize it for commerce, and to this end water terminals are a prerequisite. Not only is that provision in this bill, but there is another even broader, which authorizes and directs the

Chief of Engineers during 1912 and 1913 to secure data embracing every navigable stream and harbor in the United States, which has at any time been improved by the Federal Government, and furnish for the information of Congress full data as to the existence or nonexistence of water terminals upon each of those navigable streams and harbors. When that report shall have been submitted and we shall have attached to every subsequent report full information as to the existence of water terminals, then the committee and Congress will be in a position to enforce, if it chooses to do so, the limitation upon appropriations for a navigable stream, requiring that water terminals must be provided before the appropriation shall become effective. In many other respects this bill is exceedingly meritorious, but I shall not attempt to detain you longer with any details as to its merits.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record.

Mr. RUSSELL. Mr. Speaker, I ask the same privilege.

The SPEAKER pro tempore. Is there objection to applying it to all who have spoken?

Mr. MANN. None whatever; and I ask that it may apply.

The SPEAKER pro tempore. If no one objects, it is so ordered.

There was no objection.

Mr. MANN. Mr. Speaker, the river and harbor appropriation bill as it passed the House carried a cash appropriation of \$24,062,520.50, and provided for a continuation of contracts in the amount of \$2,200,000, or an aggregate amount of \$26,262,520.50. That was considered a rather small amount for a river and harbor bill, and we were told that was a result of the Democratic economy plan to cut off all appropriations. If anything was added, the responsibility was to be placed upon the Senate. The Senate added to the bill by amendment \$8,054,010 and struck out \$233,000, making a net increase of \$7,821,010. The total of the bill as it went to conference was \$34,083,530.50. The Senate added items of \$8,054,010, and the conferees have made a net reduction of all of those items of \$824,100—about 10 per cent. The bill in its present form as agreed to by the conferees carries \$33,259,370.50. I do not know whether the conferees are quite willing to say that all of these items are proper and should be in the bill or whether we shall hear during the campaign how the House passed an appropriation bill carrying so much and the extravagant Senate added so much and then forced the House to agree to put on those items in order to carry on the Government.

I suppose we will hear that a great many times during the campaign, and yet no man here to-day dares say that any of the items which the Senate added to the bill and which have been agreed to in conference are not proper items to be in the bill. If there is any such man here I will yield him time now to point out the items. Mr. Speaker, the Senate also added to this bill an amendment as section 2 of the bill providing:

SEC. 2. That the Secretary of War shall cause the Chief of Engineers of the Army and the Board of Engineers for Rivers and Harbors to report to Congress, in which shall be included a preliminary report not later than December 1, 1912, upon the saving, as well as other advantages, which can be accomplished by the adoption of the continuing contract system, the rapidity with which projects should be completed, upon methods of standardization by which the waterways of the country may be improved uniformly in proportion to their capacities and to the existing or probable demands of general commerce, and also report upon one or more systematized schemes of such improvement, involving all waterways heretofore examined, together with any natural or artificial channels essential for the utilization thereof, whether heretofore examined or not; also upon all projects heretofore adopted, the further improvement of which is not desirable or the expenditure upon which is out of proportion to the benefit derived therefrom. Such report may include other related information pertaining to the uses or control of the waters of the country, and the sum of \$100,000, or so much thereof as may be necessary, is hereby appropriated for such examination and report.

The purpose of that amendment was to provide a systematic control of river and harbor improvements. That item went out in conference, and somebody somewhere in referring to section 2, the amendment inserted by the Senate and not put in the bill, assumed to make remarks something like this concerning the House:

So far as the House of Representatives is concerned, however, it remains still attached to the system of spoliation—the system of pot-hole appropriations, controlled by the Representatives of various districts, through which they secure nomination and office; a system which is cynically regardless of the ultimate purposes to be obtained, the development of a system of waterways fitted for transportation, and not a system of waterways designed to secure the expenditure of public moneys in the interest of men seeking office.

I do not say that fairly describes the attitude of the Democratic House of Representatives in refusing to agree to this amendment, but I am informed that a certain distinguished Democrat made the statement. Mr. Speaker, there is another item to which I wish to refer. In various items which were

inserted in the bill by the Senate the House conferees have insisted upon inserting these words, "which shall be considered extraordinary emergency work." The House conferees have insisted upon inserting those words in several amendments of the Senate, and those words—

Mr. SPARKMAN. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman yield?

Mr. MANN. Certainly.

Mr. SPARKMAN. I would like to say those words first appeared when the Senate amendment made provision for the improvement of the lower Mississippi River. They were afterwards inserted in the three provisions—one for Mound City, another for Cairo, and another for the Arkansas River. Those insertions were made in conference.

Mr. MANN. They must have been made by the House conferees, the Senate conferees could not amend their own amendment.

Mr. SPARKMAN. I say they first appeared in the provision for the improvement of the Mississippi River, and were inserted by the Senate and not by the House. Afterwards the same provision was made in the provision for Mound City and Cairo and the Arkansas. Those were made in conference.

Mr. MANN. I am aware of that. I am glad the gentleman calls it to the attention of the House. I am just going to call attention to one particular item with that statement.

The item in reference to Cairo is \$250,000. That was a Senate amendment, and in conference the House conferees insisted upon amending that Senate amendment by inserting in it:

Which shall be considered extraordinary emergency work.

I suppose that language might be read to 90,000,000 of the American people and there would not be 20 of them who would know what it was put there for unless they were informed specifically.

The eight-hour law passed in 1892 says:

The provision that the service and employment of all laborers or mechanics who are now or may hereafter be employed by the Government of the United States is hereby limited and restricted to eight hours in any one calendar day, and it shall be unlawful for any officer of the United States whose duty it shall be to employ, direct, or control the services of such laborers or mechanics to require or permit any such laborer or mechanic to work more than eight hours in any calendar day except in case of extraordinary emergency.

Now, the little work that was done at Cairo under the special appropriation we made, with the river rising and threatening to sweep away the levee, was a case of extraordinary emergency, and the extraordinary emergency has passed by and no longer exists. In the eight-hour bill which was passed the other day, and which has become a law, but which only applies to contractors, we put a provision exempting levee construction from operation of that law. But the law now applies to the work on the levee. Most of it in the first place is done directly by the Government, or much of it, and this provision of the law applies, and it has been held that the work on the Mississippi River and the other rivers now being carried on is not a work of extraordinary emergency. And the purpose of inserting that provision in these items was to escape the eight-hour law. We have here a Democratic House one day passing an eight-hour law and the next day passing a law to exempt the appropriation made from the operation of the eight-hour law.

Next Wednesday we will have before this House a bill reported into the House by my colleague from Illinois [Mr. BUCHANAN] which proposes to amend the eight-hour law of 1892 by making it apply to all laborers and to all persons, whether they be laborers, mechanics, Army officers, Mississippi River Commission members, or what not, engaged in constructing, maintaining, or improving a river or harbor of the United States, or in the District of Columbia, and we will be treated to the rare anomaly of this House on next Wednesday passing a law providing that all labor of all kinds upon rivers and harbors shall come under the eight-hour law, when on the Friday preceding they make an appropriation and provide that it shall not be controlled by the eight-hour law, because all of these laws must necessarily provide an exception in case of extraordinary emergency.

Does the Democratic side of the House, which proposes to pass the new bill next Wednesday, believe in it? If so, why do you to-day provide that it shall not operate? The time to do a thing is when you have a chance. This House can now withdraw its insistence upon inserting in these Senate amendments this provision that takes this appropriation out from under the eight-hour law, and that will be effective. Next Wednesday it can pass a bill in the hope that in the course of much business in the Senate between now and March 4 next it will not have a chance to get through the Senate. I shall watch with interest on Wednesday to see whether the distinguished gentlemen on

the Rivers and Harbors Committee, who insist that the eight-hour law shall not apply to the appropriations they are now making, will vote or offer to amend the bill next Wednesday which says that it shall apply. There is no extraordinary emergency now in reference to improving the levees on the Mississippi River.

Mr. Speaker, I have listened with interest to what has been said about the improvement of the Mississippi River. I can remember the time, and I am still a very young man, when I could take a little raft and float over all of the area within the site of my father's house on the prairie in Iroquois County, Ill., with the exception of a few little raises of the ground where houses were built. The rest was all under water. That land is all now drained through drainage districts, and tile-drained besides. The water then stood on the ground in little sloughs and swamps every spring until fall in many places. There were many places from which the water never disappeared. Now that water hastens to its great outlet, and the same is true over the mighty expanse of territory drained by the Mississippi River. All of the time we are adding to the land that is drained. Here and there we are cutting off a swamp which has acted as a reservoir for water, until in the course of a few years we probably will have drained all of the natural reservoirs, shallow in depth, which now hold back the water from running quickly to the river. And it is quite true that through these means of drainage we have added a burden to the lower Mississippi River which it is possibly proper and fair that we should at least in part attempt to correct.

Personally, however, I do not believe that under any of the plans which have yet been made it will be practicable to control the Mississippi River. With the enormous amount of water which will be thrown into that river in times of high flood in the future I do not believe it will be possible for the water to reach the Gulf of Mexico between the banks now established or through the channel now laid out and used. That is one of the things we may learn about in the future. Meanwhile, doing the best we can, we will continue to drop a flood of money to prevent the flood of water.

I yield to my colleague from Illinois [Mr. FOWLER].

The SPEAKER pro tempore (Mr. WATKINS). For how long?

Mr. MANN. I do not know how long the gentleman wants to speak.

The SPEAKER pro tempore. The gentleman has the right to speak in his own time.

Mr. SPARKMAN. Mr. Speaker, I want to know about that.

Mr. MANN. How much does the gentleman desire?

The SPEAKER pro tempore. The gentleman has 20 minutes remaining.

Mr. MANN. I yield to the gentleman such time as he may want.

The SPEAKER pro tempore. That is 20 minutes—

Mr. MANN. If he uses it.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. FOWLER] is recognized for 20 minutes.

Mr. FOWLER. Mr. Speaker, I had not intended to say anything on this subject to-day until after the discussion had proceeded at some length. Having lived on the Ohio River for most of my life, I have become interested by force of habit in the commerce of the district lying on the great thoroughfare which forms a part of the Mississippi Valley.

It is well known, Mr. Speaker, that the Mississippi Valley comprises the greatest productive section of any country in the world, larger in area and more fertile than can be found elsewhere. While I have not at hand the data comparing the products of the Mississippi Valley with those of the other portions of the United States, yet it is by far larger than all other parts in the production of agricultural products, taking in the cereals and the animals which are used for burden and for food.

Having associated myself with all of these inspiring elements that exist along one of the greatest rivers of the world, and having my home fixed upon the banks of that splendid river, upon a promontory which gives a beautiful view for miles below and for miles above [applause], and having spread in front of my home in the midst of the river a beautiful island of more than 1,000 acres, fringed with willows and green with rustling corn—Hurricane Island by name, and more fertile than the valley of the Nile—further on across the Ohio, into the misty distance in Kentucky, rising above the horizon, with their lofty peaks kissing the clouds, lies the broken yet picturesque range of the superb Ozark Mountains. Thus surrounded, I naturally take a deep interest in all legislation which has for its object the improvement of these great thoroughfares. [Applause.]

A vast stretch of territory lies on the Kentucky side, starting in just below Caseyville, where the shallows lie, and where

Congress, in its wisdom, has determined to construct a dam and lock system. I have viewed that territory with great alarm, as to what would be its future, because of the ravages of the mighty floods which annually sweep down on that side of the river. A large area of fertile territory there, more than 50 miles long and averaging from 1 to 10 miles wide, is to-day threatened with ruin by overflows of the Ohio River, and is likely to be swept away or cut up by various lagoons worse than it was before it was cleared and converted into fertile farms.

The eloquent speech of the gentleman from Louisiana [Mr. RANDELL] on the necessity of constructing levees on the Mississippi at the expense of the United States has led me to suggest, Mr. Speaker, that there is as great a necessity for constructing a system of levees on the Ohio River from Evansville to the mouth of the Ohio. A few years ago the district of which I have been speaking was as free from danger, apparently, as the Rocky Mountain system from the overflows of the Ohio River. But to-day there are great and vast holes dug out here and there by these overflows, which are perhaps 100 yards in diameter and from 50 to 75 feet deep. It shows what a wonderful effect the overflows have on the surface of a territory overflowed.

On the Illinois side of the Ohio we have a city with a great wall surrounding it, like one of the walled cities of old, made necessary because of the destructive floods. A few years ago this wall gave way during one of the dreadful overflows, and the mad waters plowed a mighty gap through the city and carried away every house in its wake. It was a most trying moment with the inhabitants, many of whom saved their lives by climbing to the top of this wall and waiting for boats of rescue, while others less fortunate found watery graves. This city, Shawneetown, is now the oldest city in Illinois. Kaskaskia, once the oldest, has long since been destroyed by the overflows of the Mississippi River. Not a vestige of the site of that city remains to-day. Where it once stood lies now far out in the Mississippi River. It is not only our duty to preserve Shawneetown, because it is the oldest town now in Illinois, but it is our duty to protect it because of the necessity of a levee to protect the people and their property from destructive overflows.

Maunie, on the Wabash, is now threatened with destruction because of destructive overflows on that river. I am informed that the force of the water has been so great of late years that the surface of that portion of the town lying near the river has been cut away so that several of the houses have been destroyed and many more are threatened. I am much gratified to know that Congress generously gave the people of that thriving town a survey of the Wabash River at that point, and I feel confident that at the next session of Congress you will make the required and necessary appropriations to repair the damage and prevent the threatened destruction of the town.

Congress has also generously given a survey of the Little Wabash and the Saline Rivers with a view of making the necessary appropriations to dredge, deepen, and straighten the channels of these rivers in order that they may be made more servicable to the farmers who annually raise wonderful crops in the valleys of these rivers to be transported to the markets. This will help to save the crops from destruction by overflow. Let us do our duty to the farmers.

Mr. Speaker, the continuous drainage of the land once covered with a forest and patched with leaves sufficient to hold in check all waters the year round, and holding fast vast bodies of water in lagoons and lakes, has continued to such an extent that to-day in the Ohio Valley you can scarcely find a piece of territory which has not been converted into fertile fields for farming purposes, with no standing waters, no forests to check their flow; but a free sweep, aided by a fine system of drainage by tiling, now carries that water into the Ohio River, whereby it is conducted into the Mississippi River, down to its destiny, the Gulf. What was a security in the past from these overflows has been converted into a danger to-day, and what was thought to be useless in the expenditure of money for the protection of the farmer in these valleys has been converted into a dire necessity. Mr. Speaker, as the conditions change, the necessity for the appropriation of money to care for these fertile lands becomes greater and grows as time passes.

I was interested in the discussion of my colleague from Illinois [Mr. MANN] when he compared the appropriations which were made by the House for improving the rivers and harbors with that which came back from the Senate. I am aware, Mr. Speaker, that the Senate had made an additional appropriation, and, to speak frankly as a new Member of this House, I believe that much of the increased appropriation was well advised, and for my part I have no objection to it and will vote freely for it. [Applause.]

The cheapest transportation that there is in this country is on the great rivers and lakes. You do away with them and let them fill up and stop the channels of commerce on these great thoroughfares, and then we will have nothing except the railroads, and our experience with railroads is that wherever they do not have competition their rates by some means gradually rise so high that we have to get up on a stool, like a baby at the table, in order to see the top of them. [Laughter and applause.]

If we want to be secure in the rates of transportation, we ought to keep up the rivers and the lakes of this country, so that there will not be a monopoly by one system of transportation. And the way to do that is to adopt a system of dredging our navigable rivers and deepen and widen their channels so that they may be free for all the people, in order that the farmer may have cheap transportation for his products. [Applause.]

In my own district there are a number of such rivers. The Wabash and the Little Wabash are navigable streams, and all that is necessary in order to make them more so, so that they can carry all the wheat and corn that is raised in those fertile valleys, is the appropriation of enough money to dredge them and straighten the channels and widen them so as to give free transportation the year round to boats that ply up and down these streams. The Saline River and a number of smaller rivers are of such a nature that they can be made to carry enough water to give transportation all the year round, and all that is necessary to be done to them is to get active and busy and take care of what God has so graciously given us. [Applause.]

Mr. MANN. I yield the remainder of my time to the gentleman from Florida [Mr. SPARKMAN].

The SPEAKER. Does the gentleman from Florida [Mr. SPARKMAN] desire to use his time?

Mr. SPARKMAN. No; Mr. Speaker, I ask for a vote.

The SPEAKER. The question is on the agreeing to the conference report.

The conference report was agreed to.

VIRGIL GUNNELLS—LEAVE TO WITHDRAW PAPERS.

Mr. HULL, by unanimous consent, obtained leave to withdraw from the files of the House, without leaving copies, the papers in the case of Virgil Gunnells, Sixty-first Congress, no adverse report having been made thereon.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives, by Mr. Latta, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills and joint resolution of the following titles:

On July 15, 1912:

H. R. 21259. An act to allow an exchange of certain lands in the Harney National Forest.

On July 17, 1912:

H. R. 17937. An act authorizing the Secretary of War to pay a cash reward for suggestions submitted by employees of certain establishments of the Ordnance Department for improvement or economy in manufacturing processes or plant.

On July 18, 1912:

H. R. 23515. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows and dependent relatives of such soldiers and sailors.

On July 19, 1912:

H. R. 20684. An act providing for the sale of the Lemhi School and Agency plant and lands on the former Lemhi Reservation in the State of Idaho; and

H. J. Res. 220. Joint resolution to grant American citizenship to Eugene Prince.

COST OF OCCUPATION OF PHILIPPINES (H. DOC. NO. 875).

The SPEAKER laid before the House the following message from the President of the United States, which was read and referred to the Committee on Insular Affairs and ordered to be printed:

To the House of Representatives:

The following resolution was adopted by the House of Representatives January 25, 1912:

Resolved, That the President of the United States be, and he is hereby, requested to submit a statement to the House showing the cost which has accrued to the Government of the United States from the beginning of and as the result of the occupation of the Philippine Islands by the United States.

The cost to the Government of the United States resulting from the occupation of the Philippine Islands, through direct appropriations by Congress, is as follows:

(a) By the act of March 3, 1901, to carry out the obligations of the treaty of November 7, 1900, covering the cession by Spain to the United States of certain small islands belonging to the Philippine Archipelago lying outside the lines described in the treaty of Paris, \$100,000.

(b) By the act of March 3, 1903, for the relief of distress in the Philippine Islands, \$3,000,000.

(c) By the act of March 3, 1903, for completing the census of the Philippine Islands, \$351,925.50.

The total cost accruing to the Government of the United States for the purposes defined by the three acts cited was therefore \$3,451,925.50. There has been no other direct expenditure from public funds of the United States solely for and on account of the Philippine Islands not subsequently repaid from Philippine revenues. On the other hand, there was expended from the revenues of the Philippine Islands from 1898 to 1900, in the execution of the direct military purposes of the United States, a total of \$4,975,747.52, for which no reimbursement to the Philippines has been made. There is consequently a difference in direct expenditures in favor of the Philippine Islands of \$1,523,822.02. Whatever cost has accrued to the United States, in addition to the direct expenditures above cited as a result of the occupation of the Philippine Islands, has resulted from the military and naval operations in and about the archipelago and from the construction of fortifications and naval stations therein. The total amount thus expended can not be determined with any degree of accuracy. In this connection your attention is invited to Senate Documents No. 339 and No. 416, Fifty-seventh Congress, first session, wherein are printed the reports of the Secretary of War in response to a resolution of the Senate of April 17, 1902, which resolution sought to obtain information regarding expenditures on account of the Philippine Islands of the same nature as desired by your resolution of January 25, 1912. These reports of the Secretary of War set forth the data desired for the periods indicated as accurately as was then possible and show the difficulties attending compilation of data of the kind desired and the impossibility of securing accurate results.

The same difficulties, intensified by the changing conditions during the period that has since elapsed, exist to-day and render the problem presented by your resolution practically insoluble.

The cost of the military and naval operations in the Philippines resulting from the occupation of those islands is and must always remain a matter of argument. These operations resulted in part from the War with Spain and in part from the insurrection in the Philippines incident thereto; but the Philippines were not a cause of the War with Spain, nor is it possible to separate the cost of the war in the Philippines from the cost of the war elsewhere, nor the cost of the War with Spain from the cost of the Philippine insurrection. Again, it is impossible to state what part of the cost of the support of the Army and Navy since the conclusion of the Philippine insurrection can be regarded as resulting from the occupation of the archipelago. We maintained a fleet in the Orient for many years. It can not be said definitely that our occupation of the Philippine Islands increased this fleet. The military forces now in the islands would have to be supported at home were they not in the Philippines. On at least two occasions their presence there has resulted in saving to the United States in the cost of sending troops to China for the protection of American interests. It is impossible, in other words, to determine clearly what part of the naval and military expenditures in the Philippines is chargeable to the cost of the islands and what part to the cost of national defense. The cost of fortifications in the Philippines can be more readily computed, but this is an item chargeable clearly to national defense rather than to the occupation of the Philippine Islands. If we had a naval station in those islands, as all persons of whatever view propose, such fortifications are necessary.

Aside from the direct appropriations of Congress cited above, the expenditures incident to military and naval operations, and the support of the United States forces in the archipelago, the Philippine Islands have been in no way a charge against the Treasury of the United States. In other words, with the exceptions named, the Philippine Government has been entirely self-supporting. Moreover, it has been throughout self-supporting in a larger sense than any other territorial possession of the United States. All expenses attached to the collection of revenues, to the administration of the Post Office Department and of the courts, to the survey of the islands, to the conservation of their resources, and to the improvement of their rivers

and harbors, and to all similar public works, which elsewhere, as in Porto Rico, Alaska, and the Hawaiian Islands, are a charge against the National Treasury, are and have been paid from the revenues of the Philippine Islands.

WM. H. TAFT.

THE WHITE HOUSE, July 19, 1912.

QUESTION OF PERSONAL PRIVILEGE.

Mr. AUSTIN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. AUSTIN. Mr. Speaker, on yesterday the gentleman from Illinois [Mr. RAINEY] asked permission to print certain statements in the RECORD. I entered an objection to the request, which I had plainly a right to do under the rules of this House. In the noise and confusion the gentleman from Illinois [Mr. RAINEY] made a statement in reference to myself which I did not hear, and that is my reason for calling attention to it to-day. Had I heard his statement, I would have answered it very promptly. I think I owe it to myself and to the constituency that I represent to answer his statement at the earliest possible moment, for fear that my silence might possibly be misconstrued.

Had his statement reached only the ears of the Members of this House I would not trespass upon the valuable time of this House for a personal explanation or a denial. On page 9249 of the RECORD of July 18 the gentleman from Illinois [Mr. RAINEY], after my objection, made this statement:

I have no objection to the objection of a man who is in favor of the Water Power Trust.

Mr. Speaker, I had hoped that I might serve in Congress without incurring the displeasure or ill will of any man on the floor of the House. I have endeavored to be kind and manly and considerate and courteous to all of my colleagues. I confess that I cherished the hope that I could count every Member of the House my personal friend and that when I served my last term here I could go home feeling that I had the good will and friendship of every Member I had ever served with.

My offending on yesterday consisted in objecting. I think I ought to state why I objected, even though the rules do not require me to make an explanation, and neither is there anything in the rules that would justify any Member of this House in denouncing, or charging wrongdoing, or criticizing any colleague for exercising his rights to object under the rule to a request for unanimous consent. But this trouble began last Monday, on unanimous-consent day. I had on the Unanimous Consent Calendar a local bill (H. R. 24028) in which my constituents were vitally interested. If I were to serve in this House the balance of my life, I can not conceive of any bill or measure fraught with more good or of more importance to the people I represent than the local bill on the calendar of which I have made mention. That bill came here with a unanimous report of a committee composed of 21 members, 14 of whom represent the majority of this Chamber. I believe that every member of that committee is an upright, honorable man and a faithful and efficient Representative. This bill meant the development of an important river—Clinch River—in the district I represent which with that development would carry cheaper transportation for steam and domestic coal to practically every community in the district and to towns and cities far down the Tennessee and the Mississippi Rivers.

It also meant the development of the iron, marble, zinc, and other mineral resources of three or four of the important counties in the district. It carried an expenditure in the end of many million dollars, and the practical improvement of that river by slack-water navigation for more than 100 miles and reaching the important coal fields of eastern Tennessee.

A private company offered to perfect this improvement at its own expense if granted the use of the water power for electric development. Congress had authorized the survey of this river and one of its ablest engineers—Col. Kingman—had made a favorable report for a lock and dam system to cost \$1,400,000, with a series of crib dams and navigation for 75 miles. That report was submitted to Congress 12 years ago. Since that time the cost of material and labor has greatly advanced. Here was a private company which proposed to construct these dams of concrete, costing not \$1,400,000 but more than \$3,000,000, and operate at their expense every lock on that river. It was to save the National Government the cost of the improvement of the river and the perpetual maintenance of the locks and dams.

The men interested in this corporation, a majority of them Tennessee men and my constituents, furnished me with petitions from the people living along the river, asking that favorable action be taken on this bill. When the bill was reached on the

calendar the gentleman from Illinois [Mr. RAINEY] objected. I asked him to withhold his objection, to give me three minutes in which to explain the merits of the proposition, with a view of having him withdraw his objection. That courtesy to me on a local bill was denied.

I believe it is the first time that I have seen that thing happen since I have been a Member of this House, where one colleague declines to withhold an objection to give the Member of Congress—the author of the bill—an opportunity to present a statement in favor of a purely local bill. The gentleman not only denied me that courtesy, but, representing a district eight hundred or a thousand miles away, clothed his objection to a unanimous report on a local bill with a veiled intimation that his opposition was on account of a water-power trust.

Mr. Speaker, if I am here as a Representative favoring a water-power trust which is seeking to take an unfair advantage of the American people, I have violated my oath of office. Not only that, but I have disgraced myself and am no longer worthy to be a Member of the House of Representatives. If I am guilty of this charge, and the gentleman from Illinois will produce his proof, I will tender my resignation as a Member of this House, for I will be no longer worthy of companionship or association with the honorable membership of this body. Neither would I be the kind or character of man who would be a fit Representative of the splendid people who sent me to Congress. If the gentleman has not the proof, then I say he owes it to himself, he owes it to me, he owes it to this House, to do what every honorable, fair man would do under those circumstances, namely, make a retraction.

A brave, honest, and manly man, one worthy of a place in this House, one entitled to the respect and confidence of his congressional associates, will not misrepresent or slander a fellow Member. This is no place for a corrupt or an unfaithful Representative; nor is this a suitable place for a man who is the author of a slander or a falsehood against one of his colleagues.

Mr. RAINEY. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. RAINEY. Mr. Speaker, the debate on the conference report on the river and harbor appropriation bill, which has just ended, discloses the fact that the National Government is about to enter upon a new field of river improvement, the building of levees along rivers, or rather, national aid for levees along rivers other than the lower Mississippi River. If the National Government undertakes to protect against floods lands along the lower Mississippi River, there is no reason why the National Government should not also undertake to protect against overflow lands along all of its navigable rivers. We have just passed a river and harbor appropriation bill carrying with it \$35,000,000, in round numbers. The demand for river improvement is increasing, and as the demand for river improvement increases the demands of these water-power companies upon the Government to give away in its navigable rivers to them the power that can be developed therein is increasing also. I do not know how much power can be developed in the navigable river in which the gentleman is interested.

Mr. AUSTIN. What does the gentleman mean by saying that I am interested?

The SPEAKER. The gentleman from Tennessee is out of order.

Mr. RAINEY. I did not understand the gentleman's question.

Mr. AUSTIN. The gentleman said that I was interested. I am not interested in any of these propositions except as a Representative.

Mr. RAINEY. The gentleman need not be so nervous about it. The gentleman "doth protest too much."

Mr. AUSTIN. I resent that insinuation.

The SPEAKER. The gentleman from Tennessee must not interrupt the gentleman from Illinois without the consent of the gentleman from Illinois.

Mr. RAINEY. I did not say and I did not mean that the gentleman was personally interested in this enterprise. I do not know that he is and I did not so state, but he has taken a violent interest in this enterprise. I do not know how much power can be developed there, and nobody seems to know. The Government engineers have never reported upon that fact. The report filed here by the committee with the bill does not disclose any facts of that kind, but the statement he has just made—and he complains that I did not permit him to make it before

and occupy three minutes in making it—shows that his company—

Mr. AUSTIN. It is not my company.

Mr. RAINEY. Again the gentleman "doth protest too much."

The SPEAKER. The gentleman from Tennessee is out of order. He must not interrupt the gentleman from Illinois without the gentleman's consent.

Mr. AUSTIN. I want the gentleman to stick to the truth.

Mr. RAINEY. His statement shows that this company, mentioned in the bill, in which the gentleman is interested—is the gentleman satisfied with that?

Mr. AUSTIN. I am not interested in the company.

Mr. RAINEY. I did not say the gentleman was.

Mr. AUSTIN. Then stick to the truth.

Mr. RAINEY. The statement made by the gentleman about this company in which his friends are so much interested, and his constituents are so much interested, that he thinks his place in this House is in danger if he does not get it through, discloses the fact that this company down there in his district and in his State is willing to expend the enormous sum of \$3,000,000 for the purpose of building a dam there, if the company is given the water power that can be developed thereby.

In addition to that, they are willing to maintain and operate locks along the river and lights and things like that. Now, if that is true, then he has been asking us here to give away to his friends down there in his State and in his district no man knows how many millions of dollars. Now, the cities of this country own nothing valuable except the right to use their streets, and they have been engaged for 50 years in the business of giving away to private companies the right to use their streets. The cities are expected to maintain their streets. The National Government has no valuable right in these navigable rivers except the right to develop the water power therein, and the Government is being asked to give this away and at the same time to expend money in maintaining river channels and banks.

The SPEAKER. The time of the gentleman has expired.

Mr. RAINEY. Mr. Speaker, I ask unanimous consent that I may have five minutes more.

The SPEAKER. The gentleman asks unanimous consent that he may have five minutes additional.

Mr. AUSTIN. Mr. Speaker, I hope it will be granted and that the gentleman will give me proof of his charge.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. RAINEY. The other day there were six of these bills on the calendar. I had no personal feeling against the gentleman and have none now, nor have I against his bills nor against any gentleman who presented any of those bills and who appeared here as the proponent of any of them, but I blocked every one of them and in blocking them on that day I saved the Government at least \$25,000,000. And I want to serve notice upon the gentleman from Tennessee and upon everybody else who is interested in these private power bills, or rather whose friends are interested in them, that I propose to block on this floor every one of them as fast as they come up and to fight every one of them until some policy is adopted by this Government whereby a portion of these revenues can be saved for the Government and used for the purpose of developing these rivers and protecting the adjacent land from overflow. Why, it is possible within the next 25 years—

Mr. WEEKS. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. RAINEY. In a moment. It is possible to develop in these United States within the next quarter of a century \$600,000,000 worth of water power every year. Is it too much to contend that one-sixth of it, \$100,000,000, every year ought to be paid into the Treasury of the United States to be used in developing these rivers, protecting their channels, and incidentally protecting the land on either side of their channels? Is that unreasonable? We devote all the money we derive from the public domain from leases on timber lands and sales of timber land and all public lands to the creation of one great fund for the purpose of reclaiming the arid lands in the West. Is it any stretch of the constitutional powers of this Government to extend that same principle of conservation to our rivers and to stop this practice of giving them away?

Now, I have no personal feeling against the gentleman from Tennessee, but the other day when I blocked the bills of his friends upon this floor he got up in his place and defiantly said:

The gentleman from Illinois will never as long as he remains in this Congress get another bill through of this character.

Now, I did not know what to do about it, whether I ought to resign and go back home or stay here and try to discharge my

duty as a Member of this House. I finally concluded to stay and to try to discharge my duties as a Member of this body. But the gentleman went further than that—

Mr. AUSTIN. Mr. Speaker—

The SPEAKER. Does the gentleman yield to the gentleman from Tennessee?

Mr. RAINEY. In a moment. The gentleman went further in his threats; and the next time I appeared upon the floor I presented to the House, after the speech of the Socialistic Member [Mr. BERGER] some articles on socialism. I presented the other side of the question as printed in the American Anti-Socialist. I also presented a list of books upon socialism upon the other side of the question and simply asked permission for the enlightenment of the public, and a very considerable number of people are not yet in favor of socialism, to print these extracts in the Record, and the gentleman carrying out his threat to make my service in this House useless as much as he could, and extending his sphere of operations beyond what he proposed to do, arose in his place and objected to that.

Now, the Socialists of this country are in favor of consolidating everything, the railroads, water power—everything—into a few hands, believing that then they will be able to take it over easier than otherwise, and you can expect a man who speaks for a water-power trust to be in perfect harmony with the position—

Mr. AUSTIN. Mr. Speaker—

Mr. RAINEY. And so he objected to placing in the CONGRESSIONAL RECORD something which criticized the policy of socialism. Now I do not want to do the gentleman an injustice. I want to say, however, that if I have succeeded in making it odious upon this floor for any man to represent any of these water-power trusts in their operations against this Government, if I have succeeded in making that odious, and in making it necessary for gentlemen to get up here and say, I do not belong to—I do not represent—any water-power trust, great or small, then I feel that I have already accomplished much.

The SPEAKER. The time of the gentleman expired.

Mr. RAINEY. And in answer to the gentleman I want to say that I am glad to hear him say he does not represent this water-power trust.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed the following order:

Ordered, That the managers on the part of the House be allowed until the 1st day of August, 1912, at 1 o'clock in the afternoon, to present a replication, or other pleading, of the House of Representatives to the answer of the respondent; that any subsequent pleadings, either on the part of the managers or of the respondent, shall be filed with the Secretary of the Senate, of which notice shall be given to the respondent, respectively, so that all pleadings shall be closed on or before the 3d day of August, 1912.

The message also announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 6763. An act to authorize the cities of Bangor and Brewer, Me., to construct or reconstruct, wholly or in part, and maintain and operate a bridge across the Penobscot River, between said cities, without a draw.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 6763. An act to authorize the cities of Bangor and Brewer, Me., to construct or reconstruct, wholly or in part, and maintain and operate a bridge across the Penobscot River between said cities without a draw; to the Committee on Interstate and Foreign Commerce.

ADJOURNMENT.

Mr. FOSTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 35 minutes p. m.) the House, according to its previous order, adjourned to meet on Monday, July 22, 1912, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. FAISON, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (H. R. 25832) to establish fish-hatching and fish-culture stations in various States

of the United States, reported the same without amendment, accompanied by a report (No. 1030), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TAYLOR of Colorado, from the Committee on Irrigation of Arid Lands, to which was referred the bill (S. 5545) providing for the issuing of patent to entrymen for homesteads upon reclamation projects, reported the same with amendment, accompanied by a report (No. 1032), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GODWIN of North Carolina, from the Committee on Reform in the Civil Service, to which was referred the bill (H. R. 25634) to promote efficiency in the Government service, reported the same with amendment, accompanied by a report (No. 1031), which said bill and report were referred to the House Calendar.

Mr. CLINE, from the Committee on Expenditures on Public Buildings, submitted a partial report (No. 1029) on hearings had before said committee, which said report was ordered printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RAKER: A bill (H. R. 25857) granting certain lands for a cemetery to the Fort Bidwell People's Church Association of the town of Fort Bidwell, State of California, and for other purposes; to the Committee on the Public Lands.

By Mr. LEVY: A bill (H. R. 25858) to provide for international notes, and for other purposes; to the Committee on Banking and Currency.

Also, a bill (H. R. 25859) authorizing national banks to include national-bank notes in the lawful money reserve; to the Committee on Banking and Currency.

By Mr. HAYDEN: A bill (H. R. 25860) to provide for the payment of election expenses of the first State election of the State of Arizona; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Ohio: A bill (H. R. 25861) granting a pension to Philip J. Harice; to the Committee on Invalid Pensions.

By Mr. BROWN: A bill (H. R. 25862) granting a pension to J. S. Collins; to the Committee on Pensions.

By Mr. BURNETT: A bill (H. R. 25863) for the relief of the heirs of E. A. Campbell, deceased; to the Committee on War Claims.

By Mr. DWIGHT: A bill (H. R. 25864) to correct the military record of John Barker; to the Committee on Military Affairs.

Also, a bill (H. R. 25865) granting a pension to Sophronia Foote; to the Committee on Invalid Pensions.

Also, a bill (H. R. 25866) granting a pension to Adaline A. Stanley; to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 25867) granting an increase of pension to Berl P. Penny; to the Committee on Invalid Pensions.

By Mr. GUDGER: A bill (H. R. 25868) granting an increase of pension to Mary C. Jimerson; to the Committee on Invalid Pensions.

By Mr. HANNA: A bill (H. R. 25869) granting an increase of pension to Margaret Sheridan; to the Committee on Invalid Pensions.

By Mr. HAYDEN: A bill (H. R. 25870) granting a pension to Mary Jane Tillman; to the Committee on Invalid Pensions.

By Mr. NYE: A bill (H. R. 25871) granting an increase of pension to Hervey A. Humphrey; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 25872) granting an increase of pension to William Willis; to the Committee on Invalid Pensions.

By Mr. SULZER: A bill (H. R. 25873) for the relief of the survivors of the *General Slocum* disaster; to the Committee on Claims.

By Mr. THISTLEWOOD: A bill (H. R. 25874) granting a pension to Dora Ann Neace; to the Committee on Invalid Pensions.

By Mr. TOWNER: A bill (H. R. 25875) granting an increase of pension to William H. Jenkins; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of the St. Augustine Board of Trade, of St. Augustine, Fla., favoring passage of bill providing that what is known as powder-house lot be turned over to the city of St. Augustine as a public park; to the Committee on the Public Lands.

By Mr. ASHBROOK: Petition of Smith Bros. and 8 others, of Doylestown, Ohio, against passage of a parcel-post bill; to the Committee on the Post Office and Post Roads.

By Mr. AYRES: Memorial of the St. Augustine Board of Trade, St. Augustine, Fla., favoring passage of bill relative to public park for St. Augustine; to the Committee on the Public Lands.

By Mr. BURNETT: Petition of Tombigbee Lodge, No. 426, Brotherhood of Locomotive Firemen and Engineers, against passage of the workmen's compensation bill; to the Committee on the Judiciary.

By Mr. CLARK of Florida: Petition of the Wholesale Grocers of the State of Florida, favoring passage of House bill 22526, the Gould weights-and-measures bill; to the Committee on Interstate and Foreign Commerce.

By Mr. DYER: Petition of the Chamber of Commerce of Washington, D. C., favoring passage of bills affecting the District of Columbia; to the Committee on the District of Columbia.

Also, memorial of the St. Augustine Board of Trade, of St. Augustine, Fla., favoring passage of bill providing that what is now known as the powder-house lot be turned over to the city of St. Augustine as a public park; to the Committee on the Public Lands.

Also, petition of the Antikamnia Chemical Co., of St. Louis, Mo., against passage of the Bourne parcel-post bill; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of St. Louis, Mo., against passage of bill providing celebration of 100 years of peace with England; to the Committee on Foreign Affairs.

Also, petition of Perseverance Lodge, No. 1765, of St. Louis, Mo., favoring passage of Senate bill 180; to the Committee on Appropriations.

Also, evidence to accompany claim of Oscar Grear, Eighth Illinois Volunteer Infantry, War with Spain; to the Committee on Pensions.

By Mr. FULLER: Papers to accompany bill for the relief of Berl P. Penny; to the Committee on Invalid Pensions.

By Mr. KINDRED: Memorial of the Workmen's Sick and Death Benefit Fund of the United States of America against passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

By Mr. LEWIS: Memorial of Delaware Tribe, No. 43, Improved Order of Red Men, of Brunswick, Md., favoring passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

By Mr. LINDSAY: Petition of New York Typographical Union, No. 6, and New York Photo-Engravers' Union, No. 1, against passage of the Bourne parcel-post bill; to the Committee on the Post Office and Post Roads.

By Mr. MATTHEWS: Papers to accompany House bill 25818; to the Committee on Military Affairs.

By Mr. O'SHAUNESSY: Memorial of the Society of the Cincinnati, of the State of Rhode Island and Providence Plantations, relative to the preservation of the frigate *Constitution* in Narragansett Bay; to the Committee on Naval Affairs.

By Mr. RAKER: Petitions of John Armstrong Chaloner favoring impeachment of George C. Holt, judge of the Federal court for the southern district of New York; to the Committee on the Judiciary.

By Mr. STEVENS of Minnesota: Memorial of the Minnesota Summer School of Missions favoring passage of law to abolish polygamy in the United States; to the Committee on the Judiciary.

By Mr. SULZER: Petition of the New York Photo-Engravers' Union, No. 1, against passage of the Bourne parcel-post bill; to the Committee on the Post Office and Post Roads.

Also, petition of the Allied Printing Trades Council of New York State against passage of the Bourne parcel-post bill; to the Committee on the Post Office and Post Roads.

By Mr. WILLIS: Papers to accompany House bill 19961, granting an increase of pension to William Locust; to the Committee on Invalid Pensions.

By Mr. WILSON of New York: Petition of the St. Augustine Board of Trade, of St. Augustine, Fla., favoring passage of bill to turn over to the city of St. Augustine as a public park the powder house lot; to the Committee on the Public Lands.

SENATE.

SATURDAY, July 20, 1912.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. Smoot and by unanimous consent, the further reading was dispensed with and the Journal was approved.

PETITIONS AND MEMORIALS.

Mr. POINDEXTER presented a petition of members of the Commercial Club, of Walla Walla, Wash., praying for the enactment of legislation to exempt from tolls all American ships passing through the Panama Canal engaged in coastwise traffic, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Rock Cut and Orient, in the State of Washington, praying for the passage of the so-called old-age pension bill, which were referred to the Committee on Pensions.

Mr. NELSON presented resolutions adopted at the third annual convention of the Loyal Liberty Protective League, of Minnesota, held at Duluth, Minn., remonstrating against the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

He also presented resolutions adopted by members of the Minnesota Summer School of Missions, favoring the adoption of an amendment to the Constitution to prohibit polygamy, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Corbin, Kans., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. POINDEXTER, from the Committee on Mines and Mining, to which was referred the bill (H. R. 17260) to amend an act entitled "An act to establish in the Department of the Interior a Bureau of Mines," approved May 16, 1910, reported it with amendments and submitted a report (No. 951) thereon.

Mr. O'GORMAN, from the Committee on Claims, to which was referred the bill (S. 6939) for the relief of Fred R. Payne, asked that that committee be discharged from its further consideration and that it be referred to the Committee on Naval Affairs, which was agreed to.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRADLEY:

A bill (S. 7342) granting an increase of pension to James Griffey (with accompanying papers); to the Committee on Pensions.

By Mr. BANKHEAD:

A bill (S. 7343) to authorize the building of a dam across the Coosa River, Ala., at the place selected for Lock No. 18 on said river; to the Committee on Commerce.

By Mr. GORE (by request):

A joint resolution (S. J. Res. 124) to equalize, in part, allotments of Creek Indians in Oklahoma; to the Committee on Indian Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. LODGE submitted an amendment proposing to credit in the accounts of Morton E. Crane, secretary and disbursing officer of the Immigration Commission, the sum of \$654.29, being the amount disallowed from his accounts by the Auditor for the State and Other Departments, etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Immigration and ordered to be printed.

He also submitted an amendment relative to the advancement to higher grades of every permanent officer of the consolidated corps on the active list and below the grade of colonel who has lost in relative rank through the inequalities of promotion and the operation of separate promotion within the three departments, etc., intended to be proposed by him to the Army appropriation bill (H. R. 25531), which was ordered to lie on the table and to be printed.

OMNIBUS CLAIMS BILL.

Mr. NEWLANDS submitted an amendment intended to be proposed by him to the bill (H. R. 19115) making appropriation for payment of certain claims in accordance with findings of the Court of Claims, reported under the provisions of the